

Third Taxing District

2 Second Street East Norwalk, CT 06855

Tel: (203) 866-9271 Fax: (203) 866-9856

Third Taxing District of the City of Norwalk Commission Meeting

Monday, May 7, 2018 at 7:00p.m.

At the Third Taxing District Office, 2 Second Street, East Norwalk, CT

- 1. Public Comment 15 Minute Limit
- Minutes of Meeting March 29, 2018 Special Joint Meeting (Pgs. 1-45), April 9, 2018 Special Meeting (Pgs. 46-57) and April 16, 2018 Regular Meeting (Pgs. 58-68) – A/R
- 3. Discussion/Analysis of Financial Statements/Key Performance Indicators (Pgs. 69-74)
- 4. CMEEC Equity Distribution A/R (Pg. 75)
- 5. East Norwalk Library Solar Bids Update Possible A/R (Pgs. 76-77)
- 6. General Manager's Report
 - APPA Conference in June (Pg. 78)
 - Ludlow Tree Signage
 - Update on Third Party Pole Attachers (Pg. 79)
- 7. Eversource Undergrounding Possible A/R
 - Review of Draft Letters to Various Agencies (Pgs. 80-84)
 - Review of Proposed Questions to Consulting Engineer
- 8. Strategic Planning
- 9. Project Summary (Pgs. 85-95)
- 10. Adjourn

*A/R – Action Required/See Attached Motion

Agenda backup material is available at the TTD office, www.ttd.gov and will be available at the meeting.

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THIRD TAXING DISTRICT

of the City of Norwalk Special Joint Meeting

Third Taxing District, Norwalk Harbor Management and Shellfish Commissions
March 29, 2018

The Marvin, 60 Gregory Boulevard, E. Norwalk, CT

ATTENDANCE:

Commissioners: David Brown, Chair; Debora Goldstein;

STAFF:

Kevin Barber, General Manager

OTHERS:

John Pinto, Chairman, NHMC Application Review Committee

Geoffrey Steadman, Consultant to the NHMC

Peter Johnson, Chairman, Shellfish Commission & Ratepayer

Representative, TTD

Steve Bartush, Commissioner, Shellfish Commission

PUBLIC:

Tony D'Andrea

CALL TO ORDER

Chairman Brown of the TTD noted that there was a quorum of the Third Taxing District and convened the meeting. Noting that there was not a quorum of either the NHMC or the Shellfish Commission, those Commissions were not formally convened. Chairman Brown asked Commissioner Goldstein to serve as Acting Chairman for the meeting.

PUBLIC COMMENT

Mr. D'Andrea spoke during public comment. He said that he represented Norwalk Harbor Keeper, whose concerns with the undergrounding of the Eversource transmission cable were that the environmental impact of the project was not adequate. He indicated that the spoils from the drilling needed to be handled correctly to preserve the vitality of the Shellfish Industry.

DISCUSSION OF EXPECTED APPLICATION BY EVERSOURCE FOR A DECLARATORY RULING FROM THE CONNECTICUT SITING COUNCIL FOR THE RELOCATION OF A 115kv TRANSMISSION LINE WITH A PROPOSED ROUTING UNDER THE VISITOR'S DOCK AT VETERAN'S PARK

Commissioner Johnson raised the issue of the related project to run a temporary submarine and communications cable under the harbor in connection with the Walk Bridge project, which requires using barge mounted equipment, dredging a channel, installing the line and backfilling

the trench. He indicated that the safety measures being taken when dredging this area would possibly indicate that the materials needed extra care to ensure that hazardous materials don't go into the harbor. Commissioner Pinto cautioned that the measures described could relate to higher levels of certain substances (such as zinc) that shouldn't be difficult to handle.

Discussion of the handling of the dredged materials suggested that both the NHMC and Shellfish Commission understood the materials will be dewatered in barges, and the dry materials would be transported up to the Devine site for further transfer to appropriate disposal sites. Upon closer examination of the application (#2017-08-100), it was found that the application does not, in fact, specify that plan, but uses generic language.

The DEEP notice, application and the draft plan for #2017-08-100 is attached to these minutes as Exhibits A-1, A-2 and A-3 respectively). Commissioner Pinto explained that the NHMC was going to support the Shellfish Commission's recommendation on the application, which was to do water quality monitoring in connection with the process. Commissioner Johnson expressed a desire to know exactly what materials are being disturbed.

Discussion moved to the two 115kv transmission lines intended to go under the visitor's docks and Veteran's Memorial Park's parking area, per the plans proposed by Eversource, due to the Walk Bridge project. Mr. Steadman explained the path and identified the "sending" and "receiving" sites for the horizontal drilling under the harbor, including the "threading" of the drill path between two pilings of the Visitor's Docks with a clearance of 5'9" from each piling. The drilling requires that a pit be dug on each site to accumulate the oils and other materials required for the drilling process. The pit on the west side would be 3,600 sq ft and the pit on the east side would be 2,700 sq ft.

Commissioner Pinto expressed concern that the permanent right of way created in connection with the undergrounding of a transmission line would preclude any alteration, expansion and possibly repair work on the docks in the future, because work would be prevented in a right of way 15" on either side of the transmission line. Commissioner Johnson agreed that this was a very serious concern. They discussed examples in the past where work was prevented due to such restrictions. Mr. Steadman and Commissioner Pinto explained that the NHMC was fortunate to have a highly-qualified expert (Mr. Mailman) on horizontal drilling to do a pro-bono peer review of the proposed plan. Mr. Mailman's qualifications and his report are attached as exhibits B-1 and B-2 respectively.

The approval process was discussed, with the Connecticut Siting Council (CSC) having absolute say, but approvals also required by Connecticut's Department of Energy and Environmental Protection (DEEP) and the Army Corps of Engineers. The Army Corps actually approves two items: one is a permit for a public works project in a federal navigation channel and the other is a general permit for work in a coastal waterway. One requires a letter from the chief elected official of the City to proceed. Eversource is pursuing a pre-application review process to secure approval from DEEP in advance of the application to the siting council. This is voluntary, and premature, given that CSC could object to the proposed site and the process would have to start from scratch.

Commissioner Goldstein observed that the TTD was also a municipality and that part of the proposed site was within the TTD's district. Mr. Barber observed that part of the project was also in the SNEW district, which is also a municipality. Commissioner Goldstein commented that it was unlikely that the status of "municipality" would be met for the chief elected official's letter for the DEEP approval, but that the status as a municipality, as well as an electric utility was likely to carry some weight with the Connecticut Siting Council (CSC). There are various mechanism for public hearings on both projects, but it is likely that only a public hearing by the CSC would be triggered, though it was reported that Mayor Rilling suggested that he was in favor of advocating for a public hearing.

Discussion moved on to highlight some of Mr. Mailman's findings, which were: that the main environmental concern is the handling of the drill material, that Eversource's assertion that they could not drill at right angles was not consistent with industry practice, and the fact that the precision required to thread the drilling channel between the pilings with the necessary clearance was unlikely. The margin of error could be as much as three feet.

Commissioner Brown observed that it should be clear what the "ask" should be, and what mechanism would be used, and to whom the ask should be made.

The group also discussed the fact that the undergrounding project had not received environmental scrutiny under the Environmental Assessment (EA) done for the Walk Bridge, and was now under consideration for exemption from a full environmental review. The DOT has taken the position that exclusion from the EA was proper because it met the definition of a project that has "independent utility".

Commissioner Pinto reported that the NHMC was working on the response to the pre-application to DEEP, and Commissioner Johnson reported that the Shellfish Commission would be similarly engaged at their next meeting on April 5th. Commissioner Goldstein observed that the next regular TTD meeting would normally have been held on April 2nd, but that it had been rescheduled to April 9th, so that members of the Commission could attend the public hearing continuation on 230 East Avenue—a project that was controversial in the district.

Commissioner Pinto reiterated that the NHMC does not have the qualifications to recommend an alternate path, but has grave concerns about the existing path. Commissioner Goldstein observed that the TTD might pursue retention of its own experts to advise them on any safety concerns with the proximity of steel pilings near a high-voltage transmission line, including stresses that might occur under extreme weather condition, especially if the clearances were below the proposed 5'9". Commissioner Johnson observed that the Shellfish Commission has not yet received the pre-application for DEEP, despite being one of the required sign-offs.

<u>ADJOURN</u>

Commissioner Goldstein moved to adjourn, and Mr. Brown seconded. The motion to adjourn passed unanimously.

The meeting adjourned at 9:10 p.m.

Respectfully submitted,

Debora Goldstein Commissioner, TTD

Connecticut Department of Energy & Environmental Protection

Notice of Tentative Determination to Approve Structures, Dredging & Fill and Tidal Wetlands and Water Quality Certificate And Intent to Waive Public Hearing Applicant: CT Department of Transportation Application No. 201708100 City: Norwalk

The Department of Energy & Environmental Protection ("DEEP") hereby gives notice that a tentative determination has been reached to approve the following application submitted under Section 401 of the Federal Clean Water Act, as amended, for a Water Quality Certificate and Sections 22a-32 and 22a-361 of the Connecticut General Statutes ("CGS") for a permit to conduct work waterward of the coastal jurisdiction line in tidal, coastal or navigable waters of the state and in tidal wetlands for infrastructure improvements.

The Commissioner also gives notice that a hearing may be held on this application if a written request is received from the applicant, or if the Commissioner determines that the public interest will best be served thereby. The Commissioner shall hold a hearing pursuant to CGS Sections 22a-361(b) and 22a-32 on receipt of a petition signed by twenty-five or more persons.

Applicant's Name and Address:

Kimberly Lesay, Assistant Planning Director, State of Connecticut

Department of Transportation, 2800 Berlin Turnpike, P.O. Box

317546, Newington, CT 06131

Contact Name/Phone/Email:

Christian Brown, HNTB Corporation, 913-221-3327,

CBrown@HNTB.com

Site Location:

Norwalk River Bridge (Bridge No. 04288R), Norwalk

PROPOSED ACTIVITY

The proposed activity includes the installation of a temporary submarine signal and communications cable and will affect aquatic and coastal resources and tidal wetlands.

INFORMATION REQUESTS/PUBLIC COMMENT

Interested persons may obtain a copy of the application from the above contacts or by sending a request for an electronic copy to DEEP at micheal grzywinski@ct.gov. The application is available for inspection at the DEEP Land and Water Resources Division, 79 Elm Street, Hartford, from 8:30 - 4:30 Monday through Friday. Additional surveys, plans or other materials may be available with the original application file at DEEP. All interested parties are invited to express their views on the tentative determination concerning this application. Written comments on the application should be directed to Micheal Grzywinski, DEEP Land & Water Resources Division, 79 Elm Street, Hartford, CT 06106-5127, no later than forty (40) days from the publication date of this notice. Comments regarding this application may be submitted via electronic mail to: micheal.grzywinski@ct.gov.

PETITIONS FOR HEARING

Petitions for a hearing should include the application number noted above and also identify a contact person to receive notifications. Petitions may also identify a person who is authorized to engage in discussions regarding the application and, if resolution is reached, withdraw the petition. Original signed petitions may be scanned and sent electronically to deep.adjudications@ct.gov or may be mailed or delivered to: DEEP Office of Adjudications, 79 Elm Street, 3rd floor, Hartford, CT 06106-5127. All petitions must be received within the comment period noted above. If submitted electronically, original signed petitions must also be mailed or delivered to the address above within ten (10) days of electronic submittal. For additional information visit www.ct.gov/deep/adjudications.

/s/ Brian P. Thompson

Brian P. Thompson, Director

Published in The Hour on March 13, 2018

ADA PUBLICATION STATEMENT

The Connecticut Department of Energy & Environmental Protection is an Affirmative Action and Equal Opportunity Employer that is committed to complying with the Americans with Disabilities Act. To request an accommodation contact us at (860) 418-5910 or deep.accommodations@ct.gov.

<u>Draft Permit</u> (PDF) <u>Draft Plans</u> (PDF)



Bureau of Water Protection and Land Reuse Land & Water Resources Division

79 Elm Street . Hartford, CT 06106-5127

www.ct.gov/deep-

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Connecticut Department of Energy and Environmental Protection License*

Structures, Dredging & Fill and Tidal Wetlands Permit Section 401 Water Quality Certification

Licensee(s): State of Connecticut,

Department of Transportation

Licensee Address(s): 2800 Berlin Turnpike P.O. Box

317546

Newington, CT 06131

License Number(s): 201708100-SDFTW & 401

Municipality: City of Norwalk

Project Description: Install a temporary submarine signal and communication cable for

infrastructure improvements

Project Address/Location: Immediately upstream of Metro North Railroad Bridge No.

04288R

Waters: Norwalk River

Authorizing CT Statute(s) CGS Section 22a-28 to 35; CGS Section 22a-359 to 363g; CGS

and/or Federal Law: Section 22a-90 to 112; Section 401 CWA (33 USC 1341)

Applicable Regulations of 22a-426-1 to 9

CT State Agencies:

Agency Contact: Land & Water Resources Division,

Bureau of Water Protection & Land Reuse, 860-424-3019

License Expiration: Five (5) years from the date of issuance of this license.

Project Site Plan Set: One location map and thirteen (13) sheets of plans dated May 9,

2017

License Enclosures: Compliance Certification Form, Coastal Dredging Conditions,

Site Plan Set, WQC CT GP Conditions, Work Commencement

Form, LWRD General Conditions

Authorized Activities:

1. remove several existing timber piles at the existing pivot pier and rest pier fender systems;

^{*}Connecticut's Uniform Administrative Procedure Act defines License to include, "the whole or part of any agency permit, certificate, approval, registration, charter or similar form of permission required by law..."

License Number(s): 201708100-SDFTW & 401

- install floating turbidity curtains around the trench area;
- using barge-mounted equipment, mechanically remove existing sediment to a depth not less than -18' MLLW or seven (7) feet below the existing substrate and place the sediment in hopper barges with appropriate dewatering measures;
- 4. place a temporary static line within the excavated trench identified above and using divers, install 260 linear feet two (2) armored inner conduits housing fiber optics, two (2) armored signal cables and one spare 4" diameter high density polyethylene (HDPE) conduit using hand-held hydro-fluidization techniques;
- backfill the excavated trench, using suitable backfill material located on a barge to preexisting grades using either a clamshell bucket or a tremie tube only during incoming and slack tides;
- install cable mounting brackets, associated terminal cabinets or access ladders on the existing railroad bridge piers hand-held rock drills; and
- 7. using mechanical equipment, reinstall the timber pivot pier and rest pier fender piles identified above.

Failure to comply with the terms and conditions of this license shall subject the Licensee and / or the Licensee's contractor(s) to enforcement actions and penalties as provided by law.

This license is subject to the following Terms and Conditions:

- 1. License Enclosure(s) and Conditions. The Licensee shall comply with all applicable terms and conditions as may be stipulated within the License Enclosure(s) listed above.
- The Licensee shall restore the intertidal areas located on the eastern and western shorelines to pre-existing grades using organic material with the same grain size as the existing sediment.
- 3. The Licensee shall install and maintain floating turbidity curtains around the work area.
- 4. All unconfined in-water work shall be prohibited between February 1st through September 30th, inclusive, of any calendar year in order to protect anadromous finish, spawning winter flounder and spawning shellfish unless otherwise authorized in writing from the Commissioner.
- 5. The Licensee shall maintain navigation access in the Norwalk River during the work authorized herein unless Coast Guard approval for temporary channel closures is received.
- All work authorized herein shall be conducted during incoming and slack tides.
- 7. Within one hundred twenty (120) days following the completion of the work authorized herein the Licensee shall conduct an as-built survey of the new submarine cables. The survey shall include the depth of installation, location and horizontal alignment of the cables.
- 8. The Licensee shall place the approximately 462 cubic yards of excavated sediment back in the trench authorized herein.

- 9. The Licensee shall mechanically remove the top four (4) feet of existing sediment, properly manage the material and dispose the material at an approved upland location in accordance with state and federal regulations.
- 10. The Licensee shall utilize the previously approved Peregrine Falcon Protocol dated March 8, 2016.
- 11. Prior to the commencement of the work authorized herein the Licensee shall obtain all necessary local, state and federal authorizations.

12.

Issued by the Commissioner of Energy and Environmental Protection on:			
Date	Robert E. Kaliszewski		
	Deputy Commissioner		
	Department of Energy & Environmental Protection		



Bureau of Water Protection & Land Reuse Land & Water Resources Division

79 Elm Street . Hartford, CT 06106-5127

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Work Commencement Form

	inergy and Environmental Prote tesources Division	ection
Licensee Name: Licensee Address:		
License No(s):	201708100	
CONTRACTOR(s)		
Address:		
Address:		
Address:		
Date Contractor(s) recoff the license and appropriate the contractor of the license and appropriate	4 -	
EXPECTED DATE C	F COMMENCEMENT OF W	ORK:
EXPECTED DATE C	F COMPLETION OF WORK:	
LICENSEE:	(Signature)	(Date)

Bureau of Water Protection & Land Reuse Land & Water Resources Division

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Coastal Dredging Conditions for Land & Water Resource Division Licenses

- 1. **Time-of-Year Restriction.** Unless otherwise noted in the License, unconfined in-water excavation, dredging, filling or removal of debris or other material is prohibited, inclusive, in any year from June 1 through September 30 in order to protect spawning shellfish in the area unless otherwise authorized in writing by the Commissioner.
- 2. **Dredging Report.** Not later than two (2) weeks subsequent to the completion of any dredging activity authorized herein, the Certificate Holder shall submit to the Commissioner a completed Dredging Report. A separate form shall be submitted by the Permittee for each distinct dredging activity conducted pursuant to this license.
- 3. Bottom Disturbance. Dragging the bottom with a spoil barge, scow, vessel, beam or similar equipment outside of any authorized area is prohibited.
- 4. **Material Handling.** Sidecasting or in-water rehandling of dredged or excavated material is prohibited.
- 5. Barge Control. Spoil scows or barges shall be loaded and navigated in a manner which prevents uncontrollable motion or spillage and washout of dredged or excavated materials.
- 6. Sale of Sediment. Sediment dredged pursuant to the license shall not be sold nor shall any fee for its use be charged without the express prior written authorization of the Commissioner and payment of a \$4.00 per yard royalty to the state of Connecticut Department of Environmental Protection, pursuant to CGS section 22a-361(e).
- 7. Sediment Disposal. The Licensee shall dispose of aquatic sediments in accordance with the terms and conditions of the license.

Open Water Disposal, if authorized in Project Description

- Material Disposal. The Licensee shall dispose of dredged or excavated material in accordance with the requirements of the United States Army Corps of Engineers-New England District, except that if the authorized disposal site is modified, the Licensee shall submit a request for modification of the location to the Commissioner and shall not dispose of the material until such location modification has been approved in writing by the Commissioner.
- Disposal Site / Use Modification. The Commissioner may modify the authorized disposal
 site and direct dredged sediment to an alternate site for use as cap material, provided that no
 modification will take effect if such modification imposes uncompensated additional costs
 solely attributable to such modification on the Licensee.
- 3. **Disposal Monitoring.** The Licensee shall not dispose of dredged or excavated material unless said disposal is supervised and witnessed by an on-board inspector or documented by

- an automated disposal monitoring program approved by the United States Army Corps of Engineers-New England District.
- 4. Barge Navigation. Spoil scows or barges used by the Licensee for disposal of dredged or excavated material shall travel to and from the authorized disposal site utilizing sea lanes defined by the United States Army Corps of Engineers-New England District.
- 5. Point Dumping. The Licensee shall point-dump dredged or excavated materials at a specified buoy or set of coordinates identified by United States Army Corps of Engineers-New England District within the authorized disposal site.

Bureau of Water Protection and Land Reuse Land & Water Resources Division

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General Conditions for Land & Water Resources Division Licenses

- 1. Land Record Filing (for Structures Dredging & Fill, Tidal Wetlands, Certificate of Permission, and Long Island Sound General Permit Licenses only). The Licensee shall file the Land Record Filing on the land records of the municipality in which the subject property is located not later than thirty (30) days after license issuance pursuant to Connecticut General Statutes (CGS) Section 22a-363g. A copy of the Notice with a stamp or other such proof of filing with the municipality shall be submitted to the Commissioner no later than sixty (60) days after license issuance. If a Land Record Filing form is not enclosed and the work site is not associated with an upland property, no filing is required.
- 2. Contractor Notification. The Licensee shall give a copy of the license and its attachments to the contractor(s) who will be carrying out the authorized activities prior to the start of construction and shall receive a written receipt for such copy, signed and dated by such contractor(s). The Licensee's contractor(s) shall conduct all operations at the site in full compliance with the license and, to the extent provided by law, may be held liable for any violation of the terms and conditions of the license. At the work site, the contractor(s) shall, whenever work is being performed, have on site and make available for inspection a copy of the license and the authorized plans.
- 3. Work Commencement. Not later than two (2) weeks prior to the commencement of any work authorized herein, the Licensee shall submit to the Commissioner, on the Work Commencement Form attached hereto, the name(s) and address(es) of all contractor(s) employed to conduct such work and the expected date for commencement and completion of such work, if any.
 - For water diversion activities authorized pursuant to 22a-377(c)-1 of the Regulations of Connecticut State Agencies, the Licensee shall also notify the Commissioner in writing two weeks prior to initiating the authorized diversion.
 - For emergency activities authorized pursuant Connecticut General Statutes Section 22a-6k, the Licensee shall notify the Commissioner, in writing, of activity commencement at least one (1) day prior to construction and of activity completion no later than five (5) days after conclusion.
- 4. For Coastal Licenses Only License Notice. The Licensee shall post the first page of the License in a conspicuous place at the work area while the work authorized therein is undertaken.
- Unauthorized Activities. Except as specifically authorized, no equipment or material, including but not limited to, fill, construction materials, excavated material or debris, shall be

Revised: October, 2017

¹ The Work Commencement condition and the need for a Work Commencement Form is not applicable to Flood Management Certification approvals.

deposited, placed or stored in any wetland or watercourse on or off-site. The Licensee may not conduct work within wetlands or watercourses other than as specifically authorized, unless otherwise authorized in writing by the Commissioner. Tidal wetlands means "wetland" as defined by section 22a-29 and "freshwater wetlands and watercourses" means "wetlands" and "watercourses" as defined by section 22a-38.

- 6. Unconfined Instream Work. Unless otherwise noted in a condition of the license, the following conditions apply to projects in non-coastal waters:
 - Unconfined instream work is limited to the period June 1 through September 30.
 - Confinement of a work area by cofferdam techniques using sand bag placement, sheet pile installation (vibratory method only), portadam, or similar confinement devices is allowed any time of the year. The removal of such confinement devices is allowed any time of the year.
 - Once a work area has been confined, in-water work within the confined area is allowed any time of the year.
 - The confinement technique used shall completely isolate and protect the confined area from all flowing water. The use of silt boom/curtain or similar technique as a means for confinement is prohibited.
- 7. For State Actions Only Material or Equipment Storage in the Floodplain. Unless approved by a Flood Management Exemption, the storage of any materials at the site which are buoyant, hazardous, flammable, explosive, soluble, expansive, radioactive, or which could in the event of a flood be injurious to human, animal or plant life, below the elevation of the five-hundred (500) year flood is prohibited. Any other material or equipment stored at the site below said elevation by the Licensee or the Licensee's contractor must be firmly anchored, restrained or enclosed to prevent flotation. The quantity of fuel stored below such elevation for equipment used at the site shall not exceed the quantity of fuel that is expected to be used by such equipment in one day. In accordance with the licensee's Flood Contingency Plan, the Licensee shall remove equipment and materials from the floodplain during periods when flood warnings have been issued or are anticipated by a responsible federal, state or local agency. It shall be the Licensee's responsibility to obtain such warnings when flooding is anticipated.
- 8. Temporary Hydraulic Facilities for Water Handling. If not reviewed and approved as a part of the license application, temporary hydraulic facilities shall be designed by a qualified professional and in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control, the 2004 Connecticut Stormwater Quality Manual, or the Department of Transportation's ConnDOT Drainage Manual, as applicable. Temporary hydraulic facilities may include channels, culverts or bridges which are required for haul roads, channel relocations, culvert installations, bridge construction, temporary roads, or detours.
- Excavated Materials. Unless otherwise authorized, all excavated material shall be staged and managed in a manner which prevents additional impacts to wetlands and watercourses.
- 10. Best Management Practices. The Licensee shall not cause or allow pollution of any wetlands or watercourses, including pollution resulting from sedimentation and erosion. In constructing

or maintaining any authorized structure or facility or conducting any authorized activity, or in removing any such structure or facility, the Licensee shall employ best management practices to control storm water discharges, to prevent erosion and sedimentation, and to otherwise prevent pollution of wetlands and other waters of the State. For purposes of the license, "pollution" means "pollution" as that term is defined by CGS section 22a-423. Best Management Practices include, but are not limited, to practices identified in the Connecticut Guidelines for Soil Erosion and Sediment Control as revised, 2004 Connecticut Stormwater Quality Manual, Department of Transportation's ConnDOT Drainage Manual as revised, and the Department of Transportation Standard Specifications as revised.

- 11. Work Site Restoration. Upon completion of any authorized work, the Licensee shall restore all areas impacted by construction, or used as a staging area or accessway in connection with such work, to their condition prior to the commencement of such work.
- 12. Inspection. The Licensee shall allow any representative of the Commissioner to inspect the project location at reasonable times to ensure that work is being or has been conducted in accordance with the terms and conditions of this license.
- 13. Change of Use. (Applies only if a use is specified within the License "Project Description")
 - a. The work specified in the license is authorized solely for the purpose set forth in the license. No change in purpose or use of the authorized work or facilities as set forth in the license may occur without the prior written approval of the Commissioner. The Licensee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this license, request permission from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
 - b. A change in the form of ownership of any structure authorized herein from a rental/lease commercial marina to a wholly-owned common interest community or dockominium may constitute a change in purpose as specified in paragraph (a) above.
- 14. De Minimis Alteration. The Licensee shall not deviate from the authorized activity without prior written approval from the Commissioner. The Licensee may request a de minimis change to any authorized structure, facility, or activity. A de minimis alteration means a change in the authorized design, construction or operation that does not increase environmental impacts or substantively alter the construction of the project as authorized.
 - For diversion activities authorized pursuant to 22a-377(c)-2 of the Regulations of Connecticut State Agencies, a de minimis alteration means an alteration which does not significantly increase the quantity of water diverted or significantly change the capacity to divert water.
- 15. Extension Request. The Licensee may request an extension of the license expiration date. Such request shall be in writing and shall be submitted to the Commissioner at least thirty (30) days prior to the license expiration. Such request shall describe the work done to date, what work still needs to be completed, and the reason for such extension. It shall be the Commissioner's sole discretion to grant or deny such request.

- 16. Compliance Certification. Not later than 90 days after completion of the authorized work, the Licensee shall prepare and submit to the Commissioner the attached Compliance Certification Form. Such Compliance Certification shall be completed, signed, and sealed by the Licensee and a Connecticut Licensed Design Professional. If non-compliance is indicated on the form, or the Commissioner has reason to believe the activities and/or structures were conducted in non-compliance with the license, the Commissioner may require the Licensee to submit as-built plans as a condition of this license.
- 17. Maintenance. The Licensee shall maintain all authorized structures or work in optimal condition or shall remove such structures or facility and restore the affected waters to their prework condition. Any such maintenance or removal activity shall be conducted in accordance with applicable law and any additional approvals required by law.
- 18. No Work After License Expiration. Work conducted after the license expiration date is a violation of the license and may subject the licensee to enforcement action, including penalties, as provided by law.
- 19. License Transfer. The license is not transferable without prior written authorization of the Commissioner. A request to transfer a license shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Licensee's obligations under the license shall not be affected by the passage of title to the license site to any other person or municipality until such time as a transfer is approved by the Commissioner.
- 20. Document Submission. Any document required to be submitted to the Commissioner under the license or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Regulatory Section
Land & Water Resources Division
Department of Energy and Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127
860-424-3019

- 21. Date of Document Submission. The date of submission to the Commissioner of any document required by the license shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under the license, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three (3) days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in the license, the word "day" as used in the license means calendar day. Any document or action which is required by the license to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.
- 22. Certification of Documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under the license shall be signed by the Licensee and by the individual or individuals responsible for actually preparing such

document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."

- 23. Accuracy of Documentation. In evaluating the application for the license, the Commissioner has relied on information and data provided by the Licensee and on the Licensee's representations concerning site conditions, design specifications and the proposed work, including but not limited to representations concerning the commercial, public or private nature of the work or structures, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, the license may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
- 24. Limits of Liability. In granting the license, the Commissioner has relied on all representations of the Licensee, including information and data provided in support of the Licensee's application. Neither the Licensee's representations nor the issuance of the license shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
- 25. Reporting of Violations. In the event that the Licensee becomes aware that they did not or may not comply, or did not or may not comply on time, with any provision of this license or of any document incorporated into the license, the Licensee shall immediately notify the agency contact specified within the license and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the agency contact, the Licensee shall provide, for the agency's review and written approval, a report including the following information:
 - a. the provision(s) of the license that has been violated;
 - b. the date and time the violation(s) was first observed and by whom;
 - c. the cause of the violation(s), if known;
 - d. if the violation(s) has ceased, the duration of the violation(s) and the exact date(s) and times(s) it was corrected;
 - e. if the violation(s) has not ceased, the anticipated date when it will be corrected;
 - f. steps taken and steps planned to prevent a reoccurrence of the violation(s) and the date(s) such steps were implemented or will be implemented; and
 - g. the signatures of the Licensee and of the individual(s) responsible for actually preparing such report.

If the violation occurs outside of normal business hours, the Licensee shall contact the Department of Energy and Environmental Protection Emergency Dispatch at 860-424-3333. The Licensee shall comply with any dates which may be approved in writing by the

Commissioner.

- 26. Revocation/Suspension/Modification. The license may be revoked, suspended, or modified in accordance with applicable law.
- 27. Other Required Approvals. License issuance does not relieve the Licensee of their obligations to obtain any other approvals required by applicable federal, state and local law.
- 28. Rights. The license is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.
- 29. Condition Conflicts. In the case where a project specific special condition listed on the license differs from, or conflicts with, one of the general conditions listed herein, the project specific special condition language shall prevail. It is the licensee's responsibility to contact the agency contact person listed on the license for clarification if needed prior to conducting any further regulated activities.

Section 401 Water Quality Certification Conditions for Department of the Army (Corps of Engineers) General Permits for the State of Connecticut

- Rights. This certificate is subject to and does not derogate any present or future property rights or
 other rights or powers of the State of Connecticut, and conveys no property rights in real estate or
 material nor any exclusive privileges, and is further subject to any and all public and private rights and
 to any federal, state, or local laws or regulations pertinent to the property or activity affected hereby.
 This certification does not comprise the permits or approvals as may be required by Chapters 440,
 446i, 446i and 446k of the Connecticut General Statutes.
- Expiration of Certificate. The Section 401 Water Quality Certifications contained herein shall be valid until such time as the Department of the Army General Permits for the State of Connecticut expires or is modified, suspended, revoked or reissued.
- 3. Compliance with Certificate. All work and all activities authorized herein conducted by the permittee at the site shall be consistent with the terms and conditions of this certificate. Any regulated activities carried out at the site, including but not limited to, construction of any structure, excavation, fill, obstruction, or encroachment, that are not specifically identified and authorized herein shall constitute a violation of this certificate and may result in its modification, suspension, or revocation. In carrying out the certified discharge(s) authorized herein, the permittee shall not store equipment or construction material, or discharge any material including without limitation, fill, construction materials or debris in any wetland or watercourse on or off site unless specifically authorized by this certificate. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions of this certificate.
- 4. **Transfer of Certificate.** This authorization is not transferable without the written consent of the Commissioner.
- Reliance on Application. In evaluating the permittee's application, the Commissioner has relied on information provided by the permittee. If such information subsequently proves to be false, deceptive, incomplete or inaccurate, this certificate may be modified, suspended or revoked.
- 6. Best Management Practices. In constructing or maintaining the activities authorized herein, the permittee shall employ best management practices, consistent with the terms and conditions of this certificate, to control storm water discharges and erosion and sedimentation and to prevent pollution. Such practices to be implemented by the permittee at the site include, but are not necessarily limited to:
 - a. Prohibiting dumping of any quantity of oil, chemicals or other deleterious material on the ground;
 - b. Immediately informing the Commissioner's Oil and Chemical Spill Response Division at (860) 424-3338 (24 hours) of any adverse impact or hazard to the environment, including any discharges, spillage, or loss of oil or petroleum or chemical liquids or solids, which occurs or is likely to occur as the direct or indirect result of the activities authorized herein;
 - c. Separating staging areas at the site from the regulated areas by silt fences or straw/hay bales at all times;
 - d. Prohibiting storage of any fuel and refueling of equipment within twenty-five (25) feet from any wetland or watercourse;

- e. Preventing pollution of wetlands and watercourses in accordance with the document "Connecticut Guidelines for Soil Erosion and Sediment Control" as revised. Said controls shall be inspected by the permittee for deficiencies at least once per week and immediately after each rainfall and at least daily during prolonged rainfall. The permittee shall correct any such deficiencies within 48 hours of said deficiencies being found;
- f. Stabilizing disturbed soils in a timely fashion to minimize erosion. If a grading operation at the site will be suspended for a period of thirty (30) or more consecutive days, the permittee shall, within the first seven (7) days of that suspension period, accomplish seeding and mulching or take such other appropriate measures to stabilize the soil involved in such grading operation. Within seven (7) days after establishing final grade in any grading operation at the site the permittee shall seed and mulch the soil involved in such grading operation or take such other appropriate measures to stabilize such soil until seeding and mulching can be accomplished.
- g. Prohibiting the storage of any materials at the site which are buoyant, hazardous, flammable, explosive, soluble, expansive, radioactive, or which could in the event of a flood be injurious to human, animal or plant life, below the elevation of the five hundred (500) year flood. Any other material or equipment stored at the site below said elevation by the permittee or the permittee's contractor must be firmly anchored, restrained or enclosed to prevent flotation. The quantity of fuel stored below such elevation for equipment used at the site shall not exceed the quantity of fuel that is expected to be used by such equipment in one day.
- h. Immediately informing the Commissioner's Inland Water Resources Division at (860) 424-3019 and the U.S. Army Corps of Engineers at (978) 318-8879, of the occurrence of pollution or other environmental damage resulting from construction or maintenance of the authorized activity or any construction associated therewith in violation of this certificate. The permittee shall, no later than 48 hours after the permittee learns of a violation of this certificate, report same in writing to the Commissioner. Such report shall contain the following information:
 - (i) the provision(s) of this certificate that has been violated;
 - (ii) the date and time the violation(s) was first observed and by whom;
 - (iii) the cause of the violation(s), if known
 - (iv) if the violation(s) has ceased, the duration of the violation(s) and the exact date(s) and times(s) it was corrected;
 - (v) if the violation(s) has not ceased, the anticipated date when it will be corrected;
 - (vi) steps taken and steps planned to prevent a reoccurrence of the violation(s) and the date(s) such steps were implemented or will be implemented;
 - (vii) the signatures of the permittee and of the individual(s) responsible for actually preparing such report, each of whom shall certify said report in accordance with condition 7 of this certificate.

For information and technical assistance, contact the DEEP Land and Water Resources Division at (860) 424-3019.

7. Unconfined Instream Work; Installation and Removal of Confining Structures.

- Unconfined instream work is limited to the period June 1 through September 30.
- Confinement of a work area by cofferdam techniques using sand bag placement, sheet pile
 installation (vibratory method only), portadam, or similar confinement devices is allowed any
 time of the year unless specifically prohibited by a permit condition.

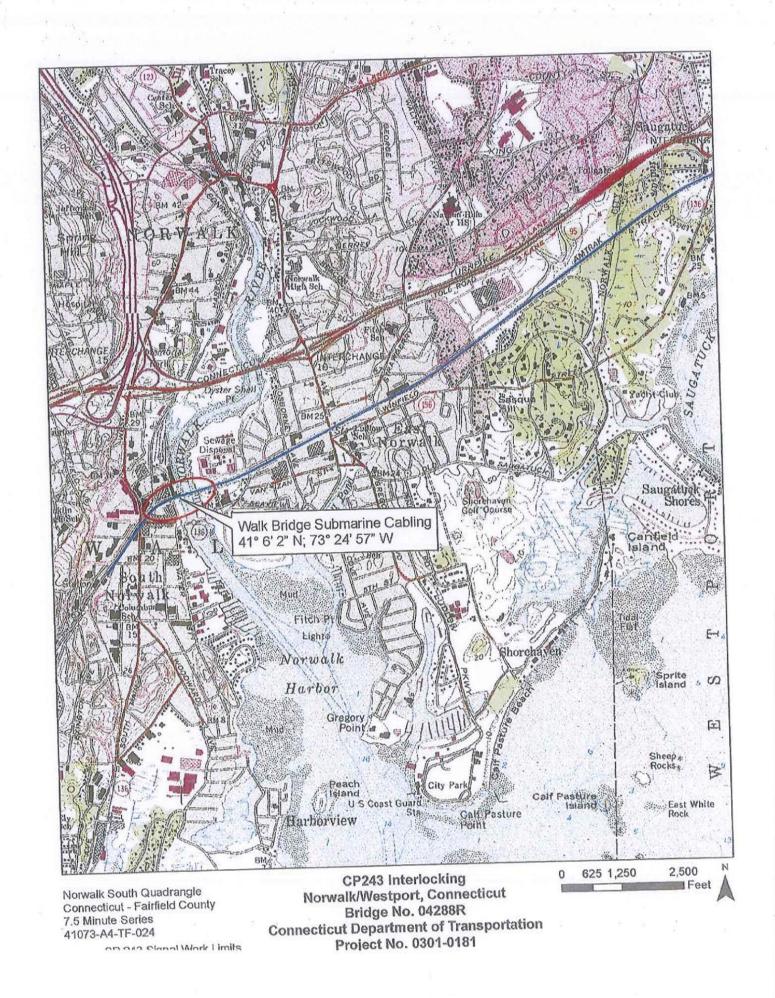
- The removal of such confinement devices is allowed any time of the year unless specifically prohibited by a permit condition.
- The confinement technique used shall completely isolate and protect the confined area from all flowing water. The use of silt boom/curtain or similar technique as a means for confinement is prohibited.
- Once a work area has been confined, in-water work within the confined area is allowed any time of the year.
- 8. Certification of Documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this certificate shall be signed by the permittee, a responsible corporate officer of the permittee, a general partner of the permittee, or a duly authorized representative of the permittee and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows:

"I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense in accordance with Section 22a-6 under Section 53a-157 of the Connecticut General Statutes."

9. Submission of Documents. The date of submission to the Commissioner of any document required by this certificate shall be the date such document is received by the Commissioner. Except as otherwise specified in this certificate, the word "day" as used in this certificate means the calendar day. Any document or action which falls on a Saturday, Sunday, or legal holiday shall be submitted or performed by the next business day thereafter.

Any document or notice required to be submitted to the Commissioner under this certificate shall, unless otherwise specified in writing by the Commissioner, be directed to:

Director, Land and Water Resources Division Bureau of Water Protection and Land Reuse Department of Environmental Protection 79 Elm Street Hartford, Connecticut 06106-5127

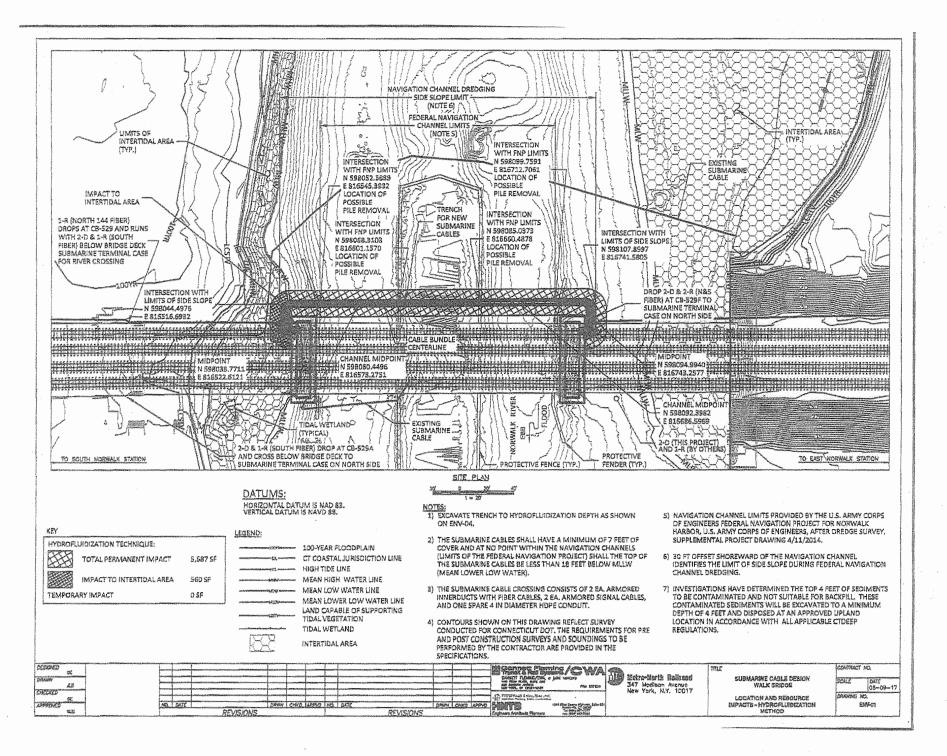


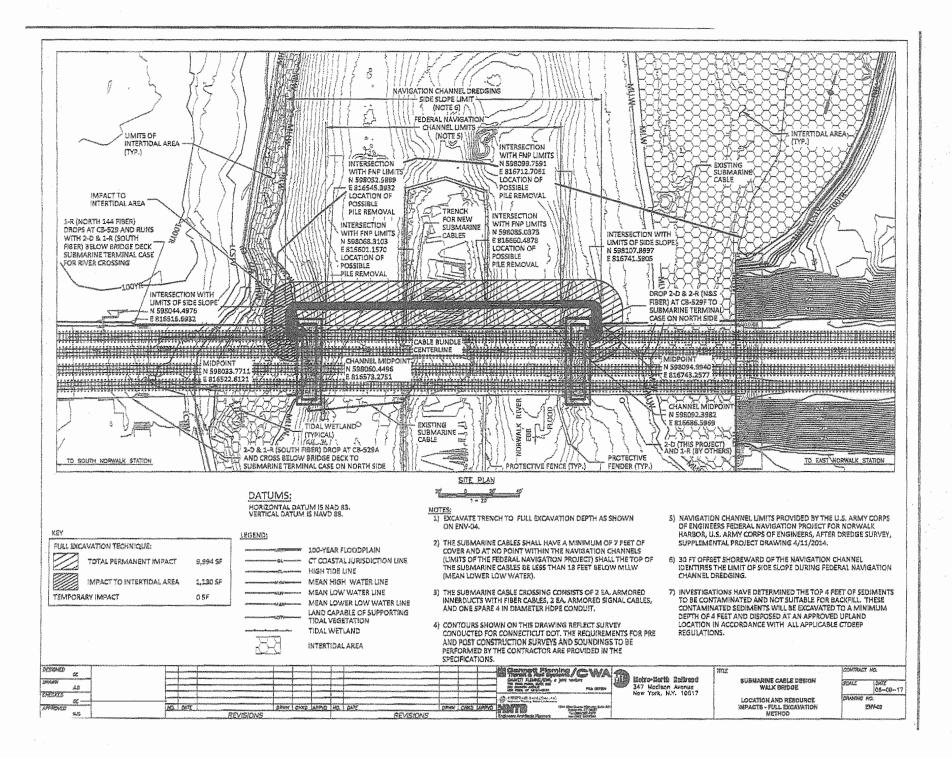
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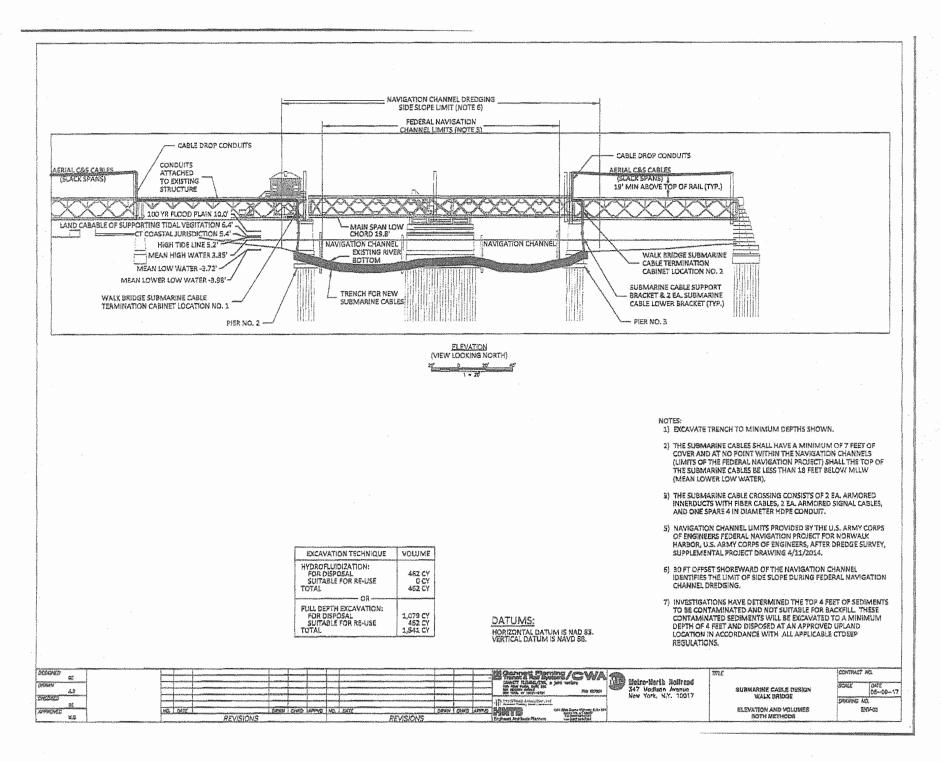
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EMA-00	DRAWING INDEX
ENV-91	LOCATION AND RESOURCE IMPACTS - HYDROPLUIDEZATION METHOD
ENV-02	LOCATION AND RESOURCE EMPACTS - FULL EXCAVATION METHOD
EMA-02	SURVATION AND YOLUMES BOTH METHUDS
2NV-04	TRENCH SECTIONS BOTH METHODS
EHV-05	SEDIMENT SAMPLES
ENV-06	LOCATION 1. RLEVATION
ENY-07	LOCATION 2 ELEVATION
ENV-08	DARGE STAGING AND SEQUENCE 1 - HYDROFLUIDIZATION METHOD
£4V-¢9	BARGE STAGING AND SEQUENCE 1 - PULL EXCAVATION METHOD
ENV-10	BARGE STAGING AND SEQUENCE 2 - HYDROPLUIDIZATION METHOD
ENV-11	BARGE STAGING AND SEQUENCE 2 - FULL EXCAVATION METHOD
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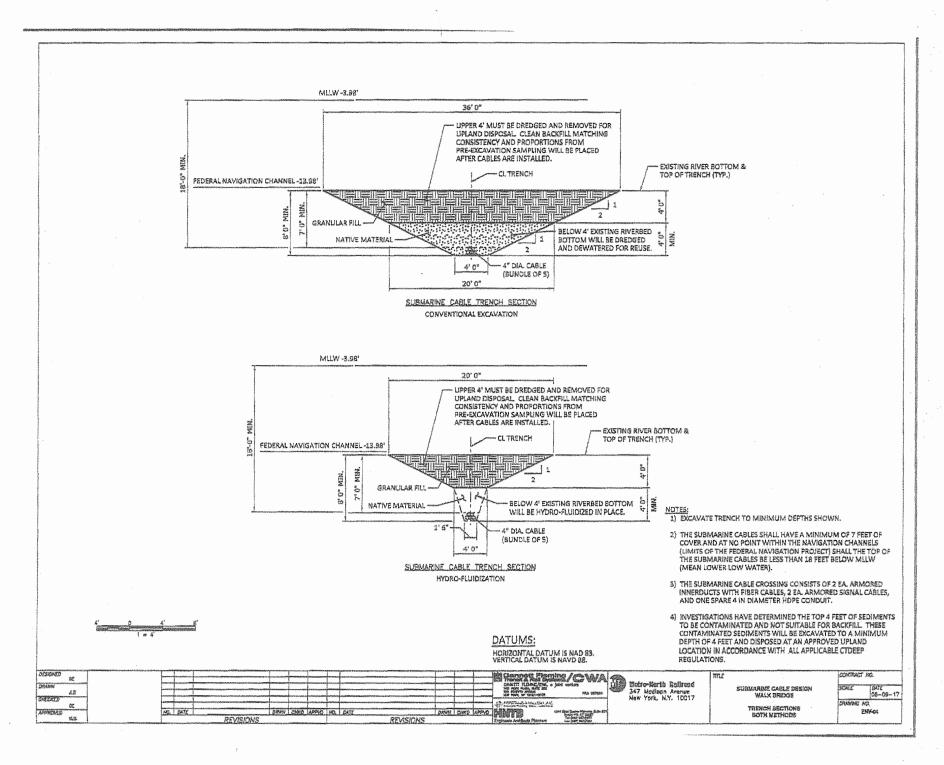
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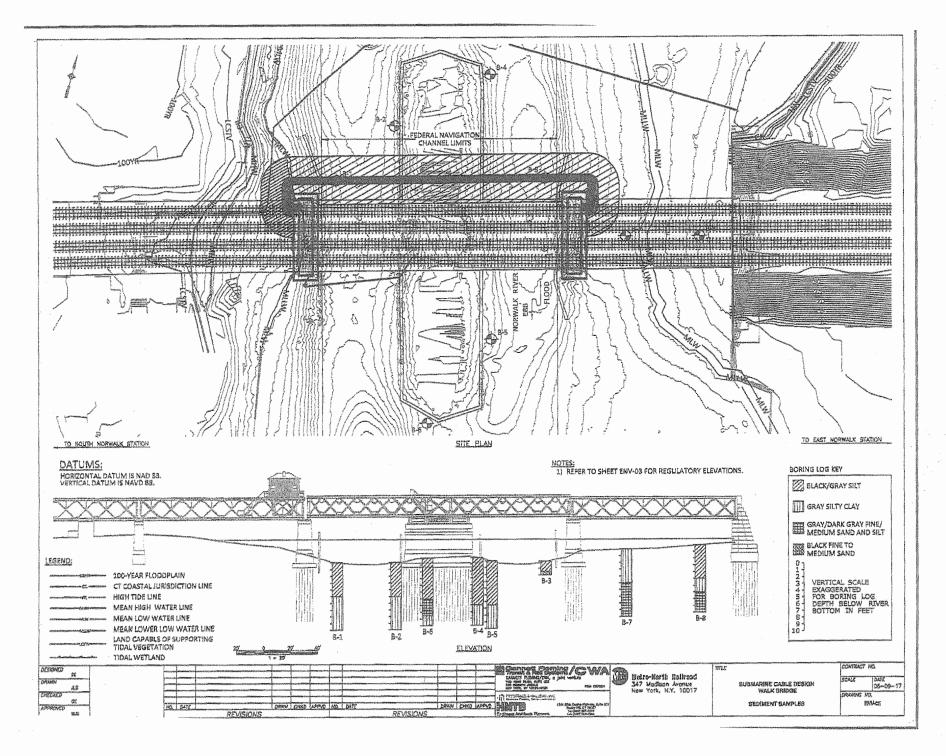
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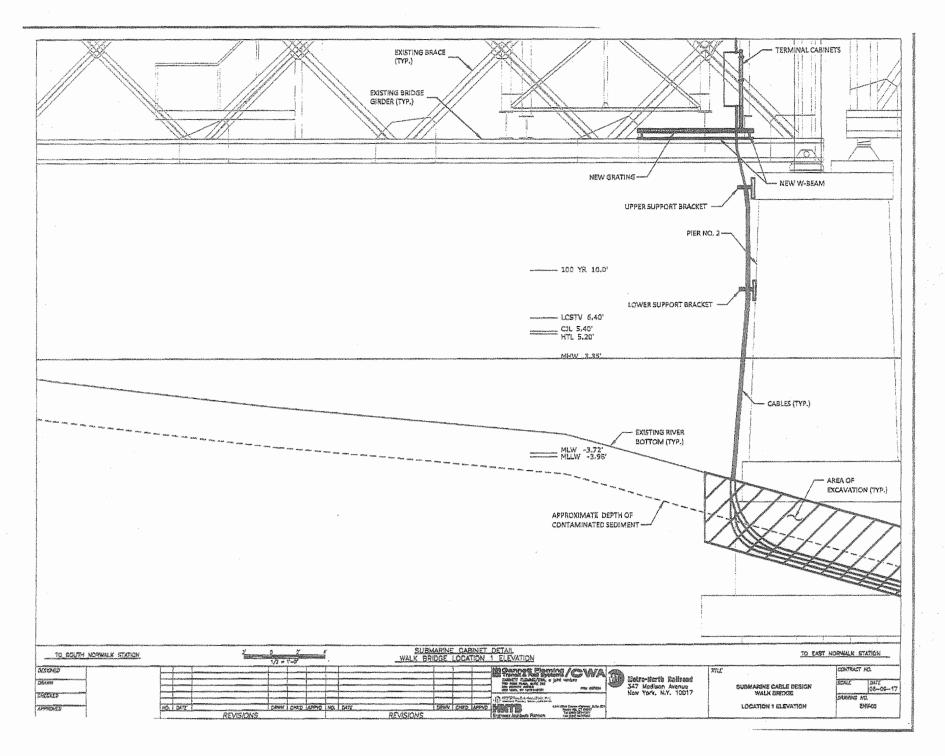


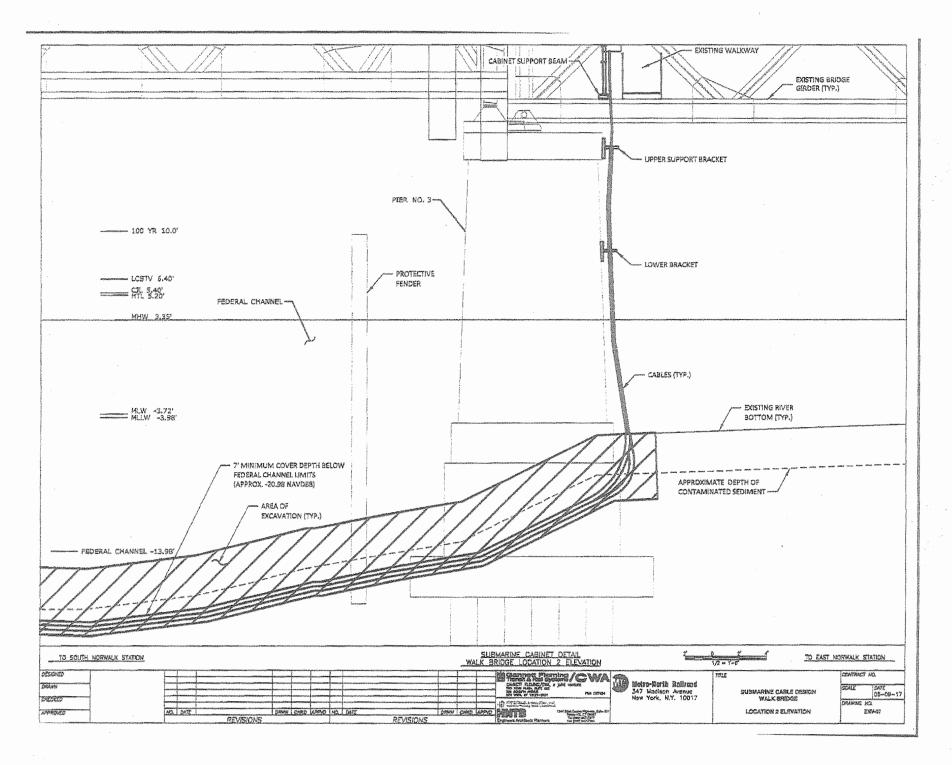


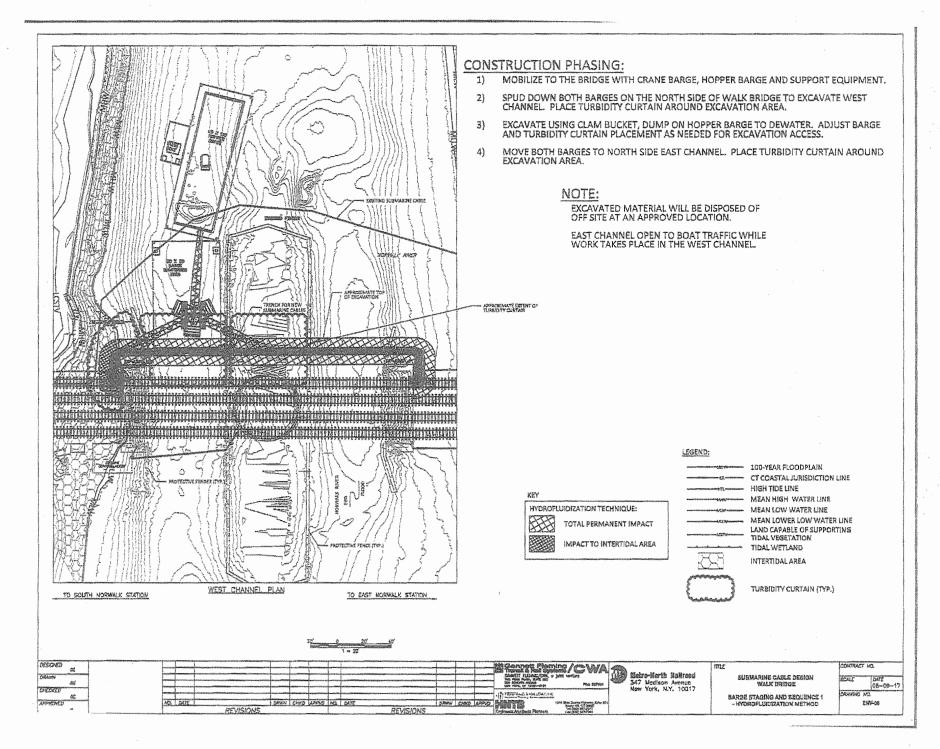


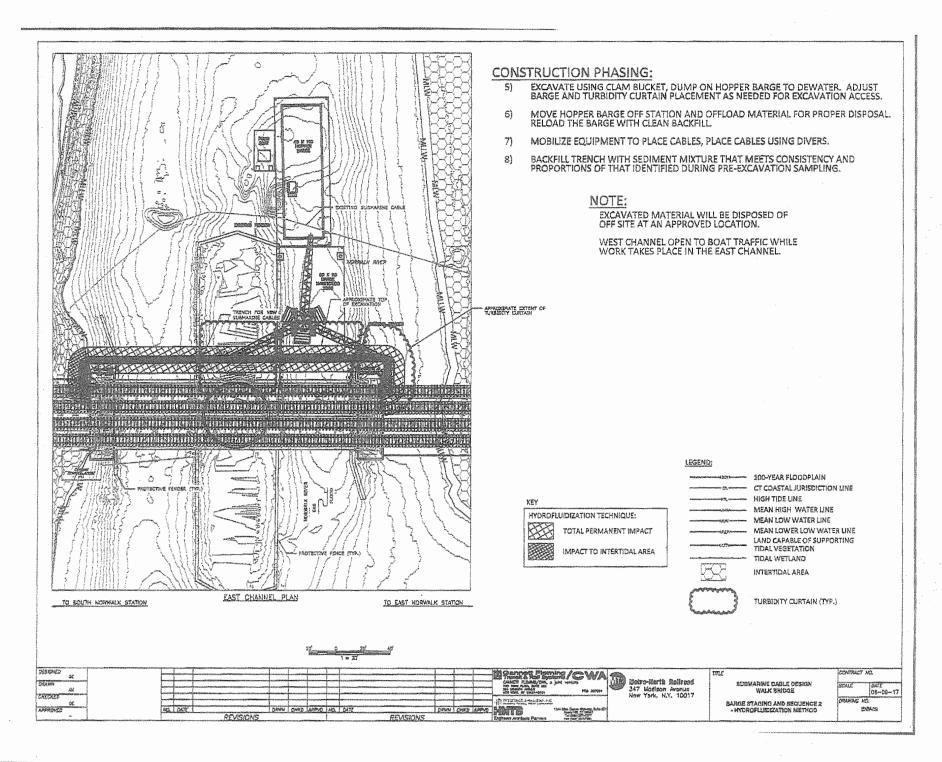


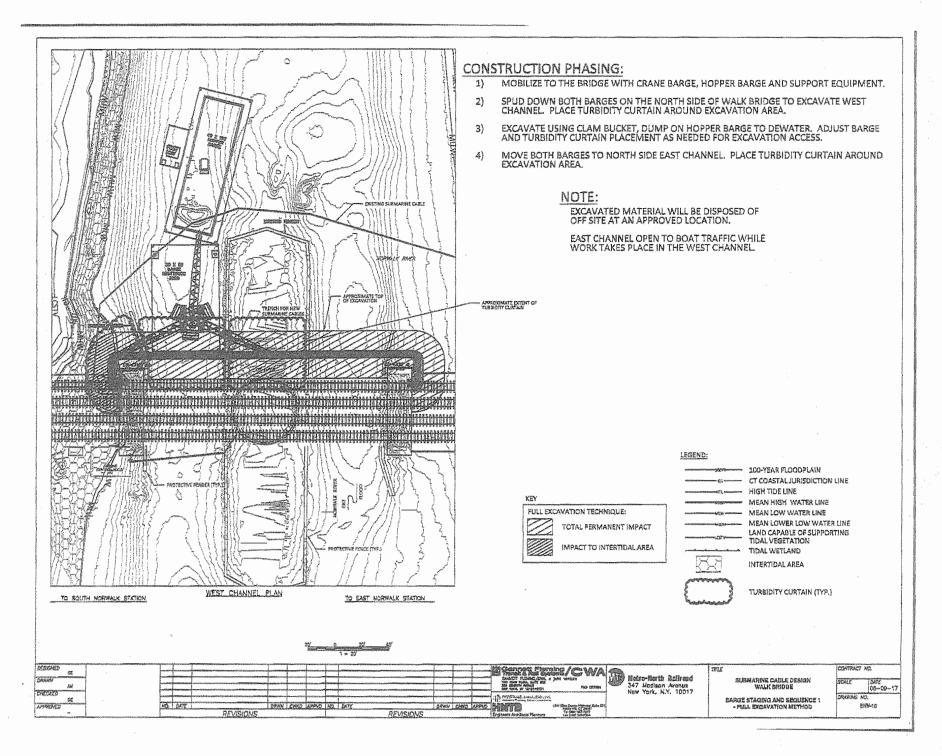


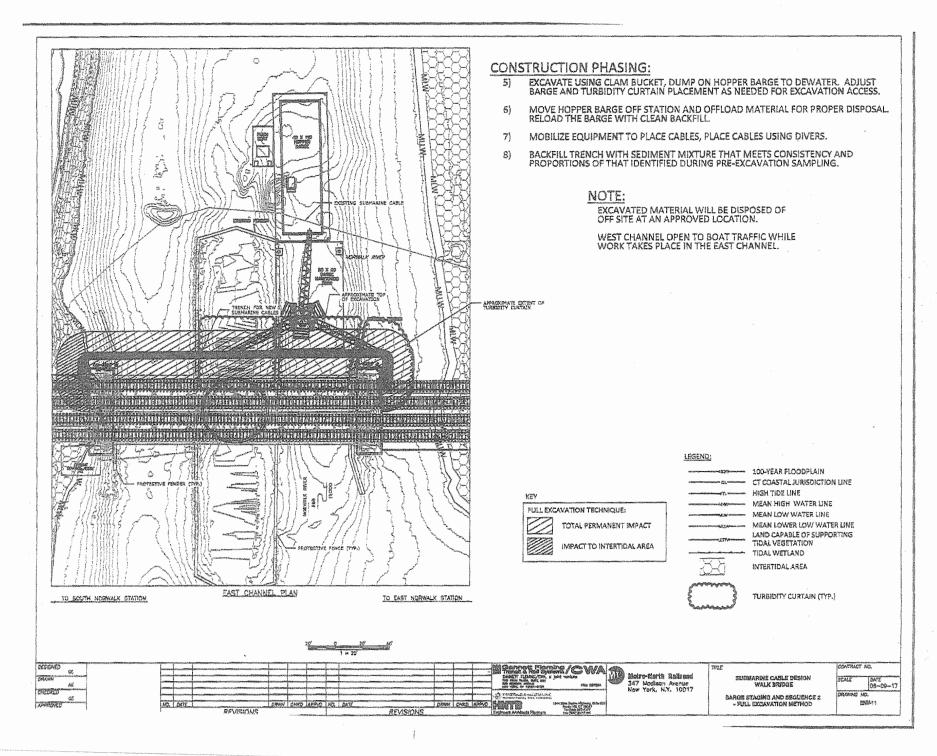


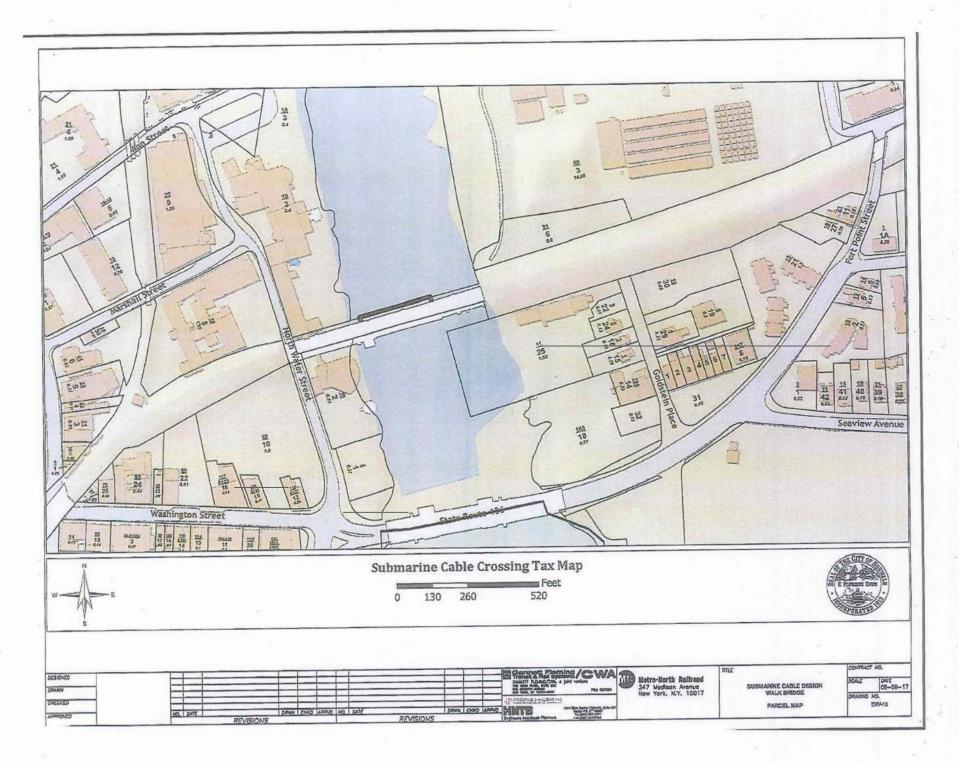














Mitchell E. Mailman

Mr. Mailman has been the General Manager of Electric Lines Division of Welsbach Electric, since 1990. During that time, crews under his auspices have logged hundreds of thousands of man hours, working for over fifty utilities and municipal electric entities, in twenty states, all without a fatality or catastrophic injury. They have completed projects at both transmission and distribution voltages; building substations and generation facilities; running circuits: overhead, underground and underwater. A Journeyman Lineman for over forty years, and a certified cable splicer up through 345 Kv. He also holds multiple Bachelor and Master's degrees from Columbia University, which he attended for eight years. He is a Professional Engineer and Licensed Architect.

In addition to be hired by utility concerns, the Electric Lines Division has worked for manufacturers, acting as their in house installation arm for "turnkey" projects where they have been engaged to "furnish and install." On transmission cable installation jobs, these have included, Okonite, Kerite, Brugg; for electrical equipment projects, Southern States, Areva, S&C, Haefely Trench, ABB. He regularly is contacted by utilities in the planning and design stages of projects for expertise in construction feasibility and to devise implementation strategies. He has vast experience working on installations in environmentally sensitive areas and is fully conversant with the unique requirements of the US Army Corps of Engineers. He has experience working within major metropolitan areas such as New York, Boston, Washington DC, and Pittsburgh.

Mr. Mailman maintains a strong relationship with executives at the National Electrical Contractors Association and the International Brotherhood of Electrical Workers. He is a Director of the Northeastern Line Constructors Chapter of NECA, presides over the NEAT Apprenticeship Committee for the State of New Jersey and the same entity for IBEW Local 3 in New York City. He has twice chaired the joint Steering Committee of the IBEW and NECA responsible for the drafting of the "Safety Rules for the Outside Electrical Industry."

During his tenure, the Electric Lines Division has undertaken several large scale and highly complex substation projects. They expanded the 345 Kv, Sprain Brook Substation belonging to Con Edison, installing the largest Series Reactors ever manufactured. To prevent a shortage of available electrical capacity, the New York Power Authority, built five gas turbine generation facilities within four of the five boroughs of New York City requiring the construction of five 13 Kv to 138 Kv substations, as well as the expansion of Con Edison's Fox Hills, Gowanus, Hell Gate and Ravenswood substations, all in a five month period. He has overseen the installation of GIS equipment up through 345 Kv in substations belonging to the New York Power Authority, Rochester Gas and Electric, and Con Edison.

He is adroit at interfacing with utilities on substation projects where they are the approval body, though not necessarily the contracting entity. For the municipal electric company in Milltown, New Jersey, he oversaw Welsbach's design and construction building of a new 34.5 to 13 kv Substation, on the Public Service Electric and Gas system. For the Village of Freeport, Welsbach completed a "design/build" of their municipal 69 kv to 13 Kv substation, on the Long Island Power Authority's network that also included a three mile, 69 solid dielectric feeder.

The Welsbach Electric Lines Division is one of only a few electrical contractors in America who install and maintain pipe type cables and fluid filled feeders. As the prime contractor, they have placed new circuits beneath the streets of New York City, Boston and Pittsburgh for Con Edison, NStar, and Duquesne Light. They have worked on similar projects for Orange & Rockland, Florida Power and Light, the New York Power Authority, New York State Electric and Gas, Public Service Electric and Gas, Entergy, Long Island Lighting Company. They have also installed hundreds of circuit miles of solid dielectric, underground transmission cables within the territories of Atlantic City Electric, PPL, Con Edison, Rochester Gas and Electric, PEPCo, New York Power Authority.



March 26, 2018

Dr. John Pinto
Chairman, Application Review Committee
Norwalk Harbor Management Commission
City Hall
125 East Avenue
Norwalk, Connecticut 06856

Subject:

Proposal by Eversource Energy to relocate electric transmission lines under

Norwalk Harbor

Dear Dr. Pinto,

At your request, I have carefully reviewed the various drawings you forwarded me describing a project Eversource is contemplating. It involves undergrounding a section of their 115 Kv overhead transmission feeders that presently occupy the Metro North Right of Way in Norwalk. This would be a permanent reroute, only brought about by the eventual replacement of the Railroad Bridge over the Norwalk River.

A feature of this design is the directional drilling of two, thirty inch casings beneath the Norwalk River, to the south of the existing vehicle/pedestrian bridge on Washington Street. Within these two casings would be individual conduits that would house solid dielectric cables. Essentially what is being created is an underground "dip".

At some point, west of the Railroad Bridge (near Elizabeth Street), the overhead circuits would transition onto a set of tall, tubular steel poles, known as "riser" or "transition" structures. These must be fitted out with terminations for the underground cables, along with lightning arresters to protect the underground cables. Although there are numerous design options as to how this can be accomplished, none of them are particularly aesthetically attractive. The existing overhead wires from the current structures are terminated, or in engineering parlance, "dead-ended" on the poles. Similarly, the underground cables emerge from being buried underground and are mounted to the poles as they extend vertically upward. The overhead wires are then connected to the underground cables by means of short sections of wire, called "taps".

Another set of riser structures would be needed somewhere to the east of the Railroad Bridge (near Fort Point Street) to bring the new sections of underground cable back up vertically to connect to the existing overhead wires. Once both new riser structures would be completed, the existing overhead wires between the structures would be rendered superfluous and could come down.

Since overhead transmission wires are not insulated, thus the significant air space between each of the various wires, they can be very thin relative to the amount of electricity they can carry. Not so, underground wires. These must be significantly thicker, owing to their being

insulated. (An overhead wire that may be 1.302 inches in overall diameter (1192.5 kc mil, ACSR, "Bunting"), would be equivalent in ampacity to a 4-inch diameter, 2000 kc mil, cross linked polyethylene insulated, underground feeder.) Of course, the insulation of the underground cable allows it to buried underground safely and allows these cables to be positioned in close proximity one to the other.

Underground cables are negatively impacted by heat. As any cable carries electricity it gets hot. The hotter a cable, the less efficiently it operates. In any underground cable system, the designer's task is to devise means by which the heat can be dissipated off the cable and shed onto the surrounding subterranean environment. While this is achievable, it is vastly more complex with two sets of feeders. Whereas the individual cables of one circuit can be placed close together, there has to be significant space between each feeder when there are two or more sets of feeders. In this case, there are indeed two sets of feeders.

Physically placing transmission cables underground is a not very complex operation. A set of pipes are run prescribed distances between manholes. The manholes are where the various sections of cable are spliced together. Considering the overall diameter of underground cable and its weight, a typical 4-inch cross linked polyethylene insulated cable may weigh as much as twelve pounds per foot; there are, therefore, manufacturing, shipping and installation concerns relative to the cable that will dictate the spacing between manholes.

For cables of the nature needed for this project, the typical spacing is about 1800 feet, though stretches up to 2500+ feet are conceivable. The more bends in the route of the piping, both in the horizontal and vertical planes, the shorter the permissible spacing between splicing vaults.

When cables are run through streets, burying the pipes beneath the ground is not difficult. Common techniques applied to the construction of water mains, gas mains, communication ductbanks, and other buried electrical facilities are employed. These primarily are "open cut" excavations; where a piece of excavating equipment merely digs through the pavement and earth to create a trench. Once the piping is placed in the trench, the earth gets put back in the trench, "backfilled," and the work progresses. When the pipe and manholes have been installed, the cable can be pulled into the ducts.

Crossing a body of water requires entirely different construction methodologies. For many years, cables, be them electrical or communications, were simply placed on the bottom of the seabed, lake, river or whatever the body of water was. This did not afford the cables much mechanical protection. Cables were repeatedly damaged by anchors, dredging, shellfish gathering operations, and often were left "hanging in midair" if the contours of the sea bottom changed owing to tidal forces.

The next iteration of underwater cable crossings featured burying the facilities. In very rare instances, excavating equipment mounted on floating barges dug a trench through the water into the seabed into which the cables were then placed. A version of this technique involved building parallel cofferdams to hold back the water. The material in between the cofferdams would be removed and the cables or pipes are then able to placed and backfilled, much like if this was on land.

Another common means of "burying" underwater cables involves "plowing" the cable under the bottom. Instead of digging a furrow, a plow, using water jets, can neatly dislodge the seabed to create a trench into which the cable could be set right after the slit was created in the sea floor. This also ensures that there would be material covering the cable to act as protection from mechanical hazards.

Plowing can reach formidable depths but poses difficulties for short water crossings. It entails sufficiently large equipment, tug boats and barges, which cannot operate in shallow waters. Furthermore, like the excavation methods, it has proved to be very harmful to marine biology owing to the disruption it causes to the sea floor and the turbidity it produces.

The current, most preferable, means of traversing a body of water with a pipe or cable involves some form of "trenchless technology", most commonly directional drilling. For longer crossings, those in excess of a mile, plowing remains the preferred technique. Virtually every shorter crossing today now employs, horizontal directional drilling. Since all the work can be accomplished from both shores, there is no need for deep draft vessels and barges. The pipes and/or cables can be drilled very deeply, so as to almost eliminate the risk of them being damaged once installed. If managed properly, the underground drilling activities have virtually no impact on marine life or water quality.

The terminology, "Directional Boring" and "Horizontal Directional Drilling" are used synonymously. Directional Boring is usually reserved for smaller diameter drills. For this project, the proposed drill is of the larger diameter category, exceeding 30 inches.

The technology is not very different from what is employed to drill oil wells. Oil well drilling involves vertical drilling; thus the tall, upright, steel structures whose purpose is to support the extensions attached to the drill head. Empirically, if you took an oil drilling rig and placed it on its side, you would be able to drill horizontally. That is not precisely what is done, however, the concept of directional drilling is just that.

Prior to commencing the drilling operation, there needs to be two large pits constructed at either end of the prescribed drill; one is the "launching pit", the other is the "receiving pit". The drill progresses from the launching pit to the receiving pit. These pits are substantially large in area and quite deep as well. Their main purposes are to provide an entry point (or exit point) for the drill head and to contain the "drilling mud". No differently than in the drilling of a deep oil well, the action of the drill head, owing to friction, gets quite hot, particularly when penetrating rock. The drill mud, lubricates and cools the head.

The drill head is always larger in diameter than the "drill steel"—the rods that are continuously spliced together to rotate the drill head from the "drill motor" which is on the drill rig, positioned near the drill hole. The drill mud is a slurry, usually composed of water and bentonite. In addition to lubricating and cooling the drill head, this slurry stabilizes the drilled hole. It "lines" the hole, keeping it from collapsing on the drill steel once the drill head advances.

Copious amounts of drill mud are required for any drill. It is constantly pumped into the drill hole. It is present in the launch pit all during the drilling. The "tailings", or the byproduct of the drilling, (sawdust, if one was drilling wood), get mixed in with the slurry. The slurry from the drill head eventually works its way back into the launch pit where it is "recycled" for reuse, by having the tailings removed.

The need for this drill mud is the greatest single environmental concern associated with directional drilling. It is a highly dense, chalky substance and one that readily becomes mixed with the petroleum-based lubricants employed with the various drilling components. Very often it is not properly controlled and spills well beyond the launch pit. It also has leeched out subterraneously through the pit walls and bottoms. There are also numerous instances where underground estuaries or abandoned conduits have crossed the path of the drilled hole, or been adjacent to it, and the mud has found its way into these, which in turn has carried the mud substantial distances from the drilling location. Even the most carefully monitored projects cannot ameliorate the mess that accompanies the drilling mud, especially during the reaming procedure.

Horizontal Directional Drilling is a three-step process once the pits are constructed and the drill rig placed. Customarily it is a continuous operation, running around the clock, out of a fear that the drilled hole may collapse during a lull. Initially, a small diameter pilot hole is drilled from the launching pit to the receiving pit. Once the drill head emerges into the receiving pit, it is removed and replaced with a "reaming head". Whereas the drill head was "pushed" across to the other side of the crossing, the reaming head is "pulled" back to the drill rig situated by the launching pit. The reamer enlarges the pilot hole. Attached to the reaming head as it is retracted back to the drill_rig are more lengths of drill steel. That way, there is a continuous "ribbon" from pit to pit.

For this particular project, the "casing", which is the pipe that is going to be placed within the final reamed out bore, is 30 inches in diameter. Depending on the wall thickness of the pipe, its overall outside diameter can vary. It will be necessary to ream a hole which is several inches larger than the pipe's overall diameter. This helps reduce the friction of the pipe coming in contact with the side walls of the reamed hole as it is pulled back and can "smooth out" some minor deviations in the routing of the drill.

Once the reaming has been completed, the casing pipe can be "pulled back" to the drill rig, in the same fashion the reamer was, employing the steel that had been attached to the reamer at the receiving pit. As measured orthographically, the length of the proposed crossing here is about 900 feet. A safe rule of thumb is to add between 2 and 5 percent to the orthographic distance to account for the parabolic configuration of the drill, to figure how long the actual length of the casing will be.

Before the casing can be "pulled back", it needs to be spliced together to form its total length. Most often, casings feature High Density Polyethylene pipe, (HDPE). The lengths are joined together by "heat fusion". The respective ends of the pipe are heated until they become molten and then they are forced together under great pressure and allowed to cool. This fusion will go on successively until the entire desired length is assembled. Very often the deciding factor as to

which side of the crossing becomes the "receiving" end, is whether or not there exists an ample stretch to lay out the entire run of casing. For this drill, Eversource proposed to assemble the pipe on the eastern shore of the river.

Horizontal Directional Drilling is constantly being perfected. Lengths and diameters of crossings have been increasing steadily. The pullback and thrust forces of drill rigs are now measurable in the millions of pounds. However, it remains by no means an "exact science." In order to properly direct the drill head, its exact location has to be known at all times. Data from its underground location, which in this case would be underwater as well, has to be received by the drill rig to allow the rig to exert the proper force directionally to keep the drill head on the predetermined course.

Many factors impact the ability of the drill rig to guide the drill. Data transmission is but one. The soil strata is another determinant. Encountering voids in the strata potentially creates deviations. Buried obstructions, including cobbles, rip rap, and buried debris) also pose problems for the drill head to navigate through while remaining "on course". Some drills cannot penetrate schists and other dense rocks. It is impossible for any driller to "guarantee" the precise path of the final bore. Deviations will vary. A drill within three feet of the desired exit point is deemed to be "spot on".

Just as the drill route cannot be assured to follow its prescribed path, the accuracy of the subterranean location of the casing once it is placed cannot be considered to be 100% accurate. Again, the data used to "locate" the bored hole can be impacted as it is transmitted. We have on several occasions needed to locate a cable that had been installed by directional drilling and failed to find it using the "as built" data we were furnished. In one instance we found the circuit a lateral distance of twelve feet from where it was "shown" to be.

After the casing is installed, the smaller diameter "inner ducts" need to be placed within the larger pipe. For this project, it will be within these smaller ducts that the eventual electrical cables will be placed.

While I am convinced that horizontal directional drilling is a viable means to install conduits and cables beneath bodies of water, I feel the present design, as depicted on a drawing bearing the title block, "Darien-Fitch and Sono-Sherwood 115 Kv Transmission Lines 1028 and 1146 HDD Plan and Profile" and labeled "Dwg. No. 01191-10005 PG 1", is very much, ill conceived.

Since 1990, I have been the General Manager of an entity that constructs and maintains facilities for electric utilities. This includes distribution and transmission circuits, substations and generation facilities. During that tenure, we have worked for fifty power concerns, located in twenty states. While we are highly skilled at building overhead lines, we are renowned for our work on underground and underwater, transmission circuits. This includes both solid dielectric feeders and pipe-type cable feeders.

Presently, we are working on a 4000+ foot crossing of the Mississippi River at Belle Chasse, Louisiana; near New Orleans. We have installed submarine feeders across the Great South Bay to Fire Island National Seashore on Long Island; beneath Barnagat Bay to power Long Beach

Island, New Jersey; underneath The Race to power Plum Island from Long Island; crossed underneath the East River to connect Rikers Island to Queens in New York City; among other installations. We have worked on Circuits Y-49 and Y-50, which go underneath Long Island Sound from New Rochelle to Sands Point, connecting Westchester County to Nassau County, both in New York; and feeders 1385 A and 1385 B which was a link between Norwalk, Connecticut and Suffolk County, New York, also beneath Long Island Sound. We have installed submarine crossings across the Intercoastal Waterway in numerous spots. We are currently working with Florida Power and Light to locate a leak in a high pressure, gas filled, pipe-type cable that feeds Cape Canaveral and the Kennedy Space Center beneath the Indian River. In December 2017; we completed the installation of a new segment of 345 Kv submarine cable run below the bottom of the Hudson River, between Edgewater, New Jersey and West 52nd Street in Manhattan.

I am highly regarded among underground transmission cable manufacturers and designers, and utility engineers, as being one of the pre-eminent authorities on constructability and implementation, for all types of buried and submarine cable systems.

The problem of this Eversource design, as I perceive it, has to do with the location of the route. It is shown as going through an active public dock and boat launching facility which, we understand, is intended not only to serve local boaters, but also visitors to city attractions such as the Maritime Aquarium and SONO area. Docks are held in place with pilings, be they steel, wood or concrete. These get driven vertically by pile-driving equipment into the seabed. Attempting to drill the new pipe casings and thread them horizontally between pilings that now are under construction and will be in place at the time of the Eversource project is an iffy proposition.

While it is possible that someone may get lucky and be able to stay close to the desired route skirting these pilings, my greatest concern deals with the future. Having the new underground 115 Kv feeders running beneath the docks will clearly limit any expansion or modification to the facility in the future. It will be virtually impossible to drive new pilings anywhere within fifteen feet of what will be the presumed location of the new feeders. The utility would simply not permit such an encroachment on the undisturbed area they would demand to protect their asset.

Even if a rearrangement of the dock configuration is not contemplated for the currently foreseeable future, pilings deteriorate and require replacement, storms dislodge them and they need to be reinforced with new pilings. I, for one, cannot recall ever seeing a buried electric line that was routed underneath any existing facility, either on land, or underwater. Surely, in streets, lines crisscross existing utilities and go under storm water culverts; but this would be akin to routing a new feeder beneath the existing basement of someone's home.

Which begs the obvious questions, "Why even attempt this?" and, "Is there no other option?"

Horizontal Directional Drilling is a highly specialized and expensive undertaking. In New Jersey, we recently completed two "underbridge" crossings, each linking two land masses separated by water. We did not opt to drill. To get across the Atlantic City inlet and to feed Brigantine Island,

we installed fiberglass conduits beneath the Brigantine Bridge, a combination causeway and fixed span bridge. We did essentially the same thing on the Long Beach Island Bridge, connecting Shipbottom to Manahawkin. What differentiates those situations from the Washington Street Bridge is that those bridges are inoperable.

There are overhead crossings of estuaries. Maybe one of the longest is across the Hudson River outside of the Indian Point Power Plant in Buchanan, New York. Those 345 Kv lines extend almost four hundred feet above the river, between Buchanan in Westchester County and Stony Point in Rockland County. Each of the towers on the edge of the shores are 600 feet tall.

To reroute these lines away from the Railroad Bridge over the Norwalk River employing overhead feeders would require new steel poles to be set along fairly narrow and active streets. While this may seem undesirable aesthetically, it is done throughout New Orleans, including in the French Quarter and the historic Garden District.

It seems as if the route of the underground of these proposed underground/underwater feeders was chosen simply because it is fairly straight and aligns in an uncomplicated fashion with the present overhead lines. As stated earlier, bends in a ductbank configuration directly impact the installation of the cable. A phenomenon known as "sidewall pressure" must be addressed. As a cable negotiates any bend, it becomes forced up against the inside radius of the bend. This force is in a direction perpendicular to the cable and if too great can crush the cable insulation. The sharper a bend, the more force is generated on the cable. The closer a bend is to end of a cable pull, the greater the "sidewall pressure".

Employing larger diameter bends can mitigate "sidewall pressures". Historically, the minimum bending radius for this type of solid dielectric cable would be 12 times the outside diameter of one of the single cables. Standard bends for a duct bank for this cable would feature 48-inch radii bends, but bends with radii in the hundreds of feet are readily achievable and very commonplace in every underground transmission cable installation.

Bends in a conduit run also will impact the overall pulling tension; in other words, how much tension can be put on the cable while it is being pulled in. For circuits such as this one, only a single cable is installed in one pipe. To complete the feeder, one pulls three cables, in three, separate pipes. The larger the overall diameter of the conductor (the current carrying component of the cable, often copper, as opposed to the insulation), the more tension it is allowed to have imparted in it. The conductor sizing for this project is unlikely to be less than 2500 kc mil and may more likely be 3500 kc mil. A 3500 kc mil conductor can be pulled in tension upwards to 28,000 pounds, whereas the smaller 2500 kc mil conductor can be tensioned to 20,000. It is highly unlikely those ultimate pulling tension limits would preclude introducing any series of horizontal or vertical bends into any cable route involving these cables.

We believe it is both prudent and practical to reorient the proposed route of the underground cable beginning at the western shore of the Norwalk River. There is ample landing area along the eastern shore of the river to employ Horizontal Directional Drilling in order to cross the river and in no way impact the public dock and boating facility. Clearly this would necessitate

routing the crossings to the south to keep them away from the public facilities. Doing so, would introduce a new bend, or sets of bends, within the park to have the ducts get back to Fort Point Street. That might necessitate an additional splice vault, but it would leave the city's public dock and boating facility thoroughly unencumbered both permanently and during construction.

On face, this seems to be one of many possible new routes across the river, but the one that makes the most use of the existing design. Another possibility is to come down Elizabeth Street as is currently shown, but to run north on Water Street toward the Washington Street Bridge and then head across the river slightly south of the bridge. But while the drills might miss the public boating facility on the east bank of the river, there is a marina directly in the vicinity on the western bank. There is the possibility of crossing the river just to the north of the Washington Street Bridge and coming up in Constitution Park. This would then allow the new ducts to reunite with the existing overhead lines via Goldstein Place, or continue along Fort Point Street as presently depicted.

We recognize the pressing need to remove the current 115 Kv overhead lines from the existing railroad bridge crossing the Norwalk River, however, we cannot endorse the current route of the replacement underground feeders. The design is impractical in its thinking that Horizontal Directional Drilling can be accurate to within the tolerances it is showing, and moreover, it is irresponsible in limiting in perpetuity the functionality of a vital resource to the City of Norwalk—that being its principal public dock and boating facility. Even if there existed no plausible alternative to the current design, to which we feel strongly there are many, we would label the current design, "short sighted" and likely the result of an ill-conceived, hasty effort.

Thank you for the opportunity to assist the Harbor Management Commission. I trust that the foregoing analysis will be helpful. Please let me know if you have any questions or wish to discuss this matter further.

Sincerely,

Mitchell Mailman

Thell & markenson

COMMISSIONER (name of Commissioner) MOVED TO APPROVE THE MINUTES OF (date of meeting) SPECIAL JOINT COMMISSION MEETING.

OR

COMMISSIONER (name of Commissioner) MOVED TO APPROVE THE MINUTES OF (date of meeting) SPECIAL JOINT COMMISSION MEETING AS CORRECTED.

THIRD TAXING DISTRICT

of the City of Norwalk Special Commission Meeting April 9, 2018

ATTENDANCE:

Commissioners: David Brown, Chair; Debora Goldstein (arrived 7:33pm);

Pamela Parkington; Johnnie Mae Weldon, Treasurer

STAFF:

Kevin Barber, General Manager; Ron Scofield, Assistant General

OTHERS:

Matt Allred (Bliss Allred & Co.)

CALL TO ORDER

Commissioner Brown called the meeting to order at 7:05 p.m. A quorum was present.

PUBLIC COMMENT

No one from the public was in attendance to comment.

MINUTES OF MEETING

March 2, 2018 Special Meeting

- ** COMMISSIONER PARKINGTON MOVED TO APPROVE THE MINUTES OF MARCH 2, 2018 SPECIAL COMMISSION MEETING.
- ** COMMISSIONER BROWN SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

March 5, 2018 Regular Meeting

Commissioner Brown asked that Mr. Johnson's comments be added to the item "Rowan Street Building Bids."

- ** COMMISSIONER BROWN MOVED TO APPROVE THE MINUTES OF MARCH 5, 2018 REGULAR COMMISSION MEETING AS AMENDED.
- ** COMMISSIONER PARKINGTON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

March 6, 2018 Emergency Telephonic Meeting

- ** COMMISSIONER BROWN MOVED TO APPROVE THE MINUTES OF MARCH 6, 2018 EMERGENCY TELEPHONIC COMMISSION MEETING.
- ** COMMISSIONER PARKINGTON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

March 29, 2018 Special Joint Meeting

- ** COMMISSIONER PARKINGTON MOVED TO TABLE THE MINUTES OF MARCH 29, 2018 SPECIAL JOINT MEETING OF THE THIRD TAXING DISTRICT, NORWALK HARBOR MANAGEMENT AND SHELLFISH COMMISSIONS FOR FURTHER CLARIFICATION FROM COMMISSIONER GOLDSTEIN TO THE APRIL 16, 2018 COMMISSION MEETING.
- ** COMMISSIONER BROWN SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

DISCUSSION/ANALYSIS OF FINANCIAL STATEMENTS/KPI'S

Mr. Allred, the District's Accountant, reviewed the Financial Highlights and Footnotes with the Commission. Net Income was \$1,269,712, an increase of 8% over last year. Net Income Before Rate Stabilization was \$1,211,347, an increase of 15666% over the previous year, which was \$7,682.

Cash Balances continue to be in good shape. Operating Accounts are consistent with the previous months. Capital Improvements Fund is \$1,367,630 which reflects the CMEEC Equity Transfer of approximately \$356,000.

Outstanding Principal Balance with CMEEC continues to decrease. The current balance is \$3,229,981, down \$1,115,602 from July 1, 2016.

<u>KPIs</u> – Mr. Allred reviewed the KPIs with the Commission. All items continue to be in line with the Industry Average.

DISCUSSION OF RATE STABILIZATION FUND AND PCA

Mr. Barber informed the Commission that up until the recent month, the Commission was given a PCA (Power Cost Adjustment) spreadsheet. In the past, staff has talked about reviewing the spreadsheet and doing a deep dive analysis of it to see where TTD stands with the PCA. During Mr. Barber's review, it became apparent that some questions needed to be addressed to provide staff with the guidance needed to recommend changes to the PCA and related rates.

There are three questions that need to be honed in on.

- What is the appropriate balance to maintain the Rate Stabilization Fund (RSF)?
- What is the appropriate PCA rate to charge TTD customers?
- What is the appropriate billable rate for CMEEC to charge TTD?

Mr. Barber informed the Commission that he will be presenting one question at a time over the next few Commission meetings due to time constraints.

Mr. Barber explained to the Commission what the RSF is and how it works. It is a fund held at CMEEC, for the purpose of allowing the utility to actively manage their retail rates. He reviewed what can affect the RSF, i.e., monthly power bill, CMEEC member margin, interest and a one-time withdrawal.

Mr. Barber is asking the Commission to consider what would be an appropriate balance for TTD to keep in the RSF. Mr. Barber is recommending a 6-month balance in the RSF. This is also in line with CMEEC's 5-year financial plan. For TTD the target balance would be \$2,750,000 to \$3,000,000. This would provide TTD with approximately 6 months worth of CMEEC power bills in case of extraordinary circumstances.

The current balance in TTD's RSF is \$3,880,386. To achieve the new target balance, the RSF would have to be reduced between \$880,000 and \$1,100,000. There are two options to reduce the RSF balance.

- Adjust the CMEEC billable rate below the forecasted cost of energy. This would reduce the balance over a period of time (12-24 months or longer), depending on the billable rate selected.
- Make a one-time withdrawal of funds. This would reduce the balance immediately.

Mr. Barber does not feel the one-time withdrawal approach is appropriate and is not in alignment with the CMEEC Membership Agreement.

Commissioner Goldstein recommended adding the RSF balance to the KPIs for tracking on a monthly basis.

It is the recommendation of Messrs. Barber and Allred to reduce the RSF on a slow decline over 12-24 months with a target balance of approximately \$3 million.

- ** COMMISSIONER GOLDSTEIN MOVED TO ACCEPT THE RECOMMENDATION OF THE GENERAL MANAGER, KEVIN BARBER AND DISTRICT ACCOUNTANT, MATT ALLRED, TO SET A TARGET BALANCE OF THE RATE STABILIZATION FUND BETWEEN \$2,750,000 AND \$3,000,000 AND THAT WOULD BE A METRIC THAT TTD WOULD USE FOR THE CMEEC BILLABLE RATE AND THE PCA IN THE FUTURE.
- ** COMMISSIONER PARKINGTON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

LINE OF CREDIT RENEWAL

Mr. Barber reviewed the history of the line of credit at Patriot Bank in the amount of \$500,000. It was originally set up for the purpose of having access to funds during the construction of the Fitch Street Substation and Cervalis projects. At that time the former General Manager, Jim Smith, had the ability draw on the line of credit. Since Mr. Smith is no longer employed at TTD, Patriot Bank will not extend the existing line of credit under his name. The bank is requiring a Resolution from TTD's Commission authorizing a new designated employee to extend and access the line of credit, provided the Commission wants to continue to keep the line of credit open.

It is the recommendation of Mr. Barber that the Commission approve the line of credit in the amount of \$500,000 with Patriot Bank and that it be extended to December 1, 2018. This will provide TTD with access to funds in case of extenuating or emergency situations.

- ** COMMISSIONER GOLDSTEIN MOVED THAT KEVIN BARBER, GENERAL MANAGER OF THE THIRD TAXING DISTRICT, IS HEREBY AUTHORIZED TO RENEW FOR AND ON BEHALF OF THE DISTRICT A LINE OF CREDIT IN THE SUM OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000), FROM PATRIOT BANK ON THE TERMS SET OUT IN THE TERM REVOLVING PROMISSORY NOTE PREPARED BY PATRIOT BANK AND ATTACHED TO THE MINUTES OF THIS MEETING.
- ** COMMISSIONER PARKINGTON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

(See Attachment A for Second Promissory Note and Revolving Term Loan Modification Agreement.)

- ** COMMISSIONER PARKINGTON MOVED TO FURTHER REQUIRE KEVIN BARBER, GENERAL MANAGER OF THE THIRD TAXING DISTRICT, BEFORE ACCESSING ANY FUNDS FROM THE LINE OF CREDIT, MUST RECEIVE AUTHORIZATION FROM THE COMMISSION AT A DULY CONVENED COMMISSION MEETING.
- ** COMMISSIONER BROWN SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

VOTE FOR CHAIRMAN

Commissioner Brown said the vote for a Chairman should come up every two years following an election. Commissioner Goldstein stated that there is nothing written in the Charter indicating this procedure and is a subject matter that would be in ByLaws for Third Taxing District, once they are developed.

Commissioner Goldstein stated that she thought it was unfair to hold this election for Chairman following an election, as the possible new Commissioner has not been able to familiarize themselves with the other Commissioners and because they are too new, probably would not put their own name forward for the position. She believes a more appropriate/fairer time to conduct the vote would be after the Annual Meeting, perhaps in April.

Commissioner Parkington agreed that to have this vote right after the election is too soon, especially if there is a new Commissioner coming on board. Commissioner Parkington believes the vote should take place after the Annual Meeting on an off year.

Mr. Scofield shared some history of when the Vote for Chairman typically took place in the past. He indicated that it did take place at the first Commission meeting following the election. It had to do with the political party. If the Democrats controlled the Commission, there would be a Democratic Chair and the same holds true for Republicans.

Further discussion took place on the subject as to when this vote should take place. Commissioner Parkington asked whether or not a vote would be taken at this meeting and asked if the Commission was open to nominations at this time. Commissioner Brown replied, "yes."

- ** COMMISSIONER GOLDSTEIN MOVED TO NOMINATE COMMISSIONER DAVID BROWN TO REMAIN AS CHAIR UNTIL THE NEXT REGULAR ELECTION DAY OR UNTIL THE BYLAWS ARE INSTITUTED AND DULY PASSED.
- ** COMMISSIONER PARKINGTON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

GENERAL MANAGER'S REPORT

Discussion of Budget Process

Mr. Barber informed the Commission that he and the staff have started work on next year's fiscal budget. He is planning to have a draft of the budget completed by mid to late May. It is Mr. Barber's understanding that the Commission usually approves the budget at the second Commission meeting in June. He asked the Commission if they were open to approving it sooner or keep the schedule as is.

After discussion of the process, the Commission and Mr. Barber thought the best schedule would be to get the budget to the Commission at least one week to ten days prior to the first meeting in June. Mr. Barber will be available to review the budgets individually with the Commissioners. The first meeting in June would be used to review the draft budget and resolve any final questions or problems. Staff would then rectify any issues if needed and present the final budget to the Commission at the second meeting in June for their vote.

Mr. Barber also discussed with the Commission that he is working on changing the format for the Operating and Capital Budgets and explained how it will change. He plans on bringing a more manageable Capital Budget to the Commission with a list of projects that are more realistic and can be completed within the fiscal year instead of an entire "wish list."

Update on Library Roof Projects

Mr. Barber gave the Commission an update on the two projects for the Library. The bids for a new roof will be received by Thursday, April 12, 2018 at 3:00 p.m. at the TTD office and will be opened at that time. It is anticipated that the bids and recommendation will be ready for the Commission's review at the April 16, 2018 meeting.

With regard to the solar project for the Library, the RFP is "on the street" and those bids will be received by April 25, 2018 at 10:00 a.m. and be opened at the TTD office. The staff expects to have the bids and recommendation ready for the May 7, 2018 meeting.

WALK BRIDGE: OUTREACH DISCUSSION

Commissioner Goldstein reviewed the last meeting of the Mayor's Design Advisory Committee Meeting held on March 21, 2018. One of the take-aways she is bringing to the Commission is the lighting of the Walk Bridge. The Committee has a strong preference for digital moving lights on the bridge. Commissioner Goldstein is not in favor of this type of lighting, but does not feel comfortable voting against it without input from the ratepayers.

Brainstorming took place on how to get this information out to the ratepayers and get their input. A one question survey was discussed, as well as ways to get the survey to the ratepayers. Staff will be meeting with TTD's marketing firm, Greyskye, on Thursday, April 12, 2018 at 10:30 a.m. and will bring them on-board for the process. Options include:

- Survey link in the May/June newsletter
- Email blast with link to the survey
- Website survey
- Billing insert that can be mailed/returned to the office (English/Spanish)

Commissioner Goldstein will work on putting a preliminary lead in paragraph and multi-choice question together for the meeting with Greyskye.

- ** COMMISSIONER GOLDSTEIN MOVED TO AUTHORIZE THE STAFF TO ENGAGE GREYSKYE MARKETING TO DO OUTREACH AND FEEDBACK ON WALK BRIDGE DESIGN ELEMENTS.
- ** COMMISSIONER BROWN SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

STRATEGIC PLANNING DISCUSSION

Due to the lateness of the evening and the fact that the subject matter could be lengthy, there was discussion as to whether or not to table this item.

- ** COMMISSIONER GOLDSTEIN MOVED TO DISCUSS STRATEGIC PLANNING AND FINISH IN TIME TO ADJOURN THE MEETING BY 9:30 P.M.
- ** COMMISSIONER PARKINGTON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

Commissioner Goldstein reviewed the history of what has taken place to date. TTD had hired a consultant to guide both the staff and Commission in Strategic Planning. To date, no plans have been put in place. Discussion took place around whether or not TTD should hire a consultant to continue the process or try to handle it themselves. Commissioner Goldstein thought if Strategic Planning could be put on the agenda each month, perhaps some headway could be made a little bit at a time.

Commissioner Parkington believes the Commission should start with governance and create ByLaws – the rules to live by – and develop what is needed from there. The Charter also needs to be revised.

Commissioner Goldstein feels the change in the Charter should probably be held off until last, in order to pick up everything needed once the Strategic Planning process has been completed. Charter revisions will need ratepayer approval. A plan needs to be put in place as to what needs to be done and prioritize the items.

PROJECT SUMMARY

- ** COMMISSIONER GOLDSTEIN MOVED TO TABLE THE PROJECT SUMMARY DISCUSSION TO THE FOLLOWING MONTH.
- ** COMMISSIONER BROWN SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

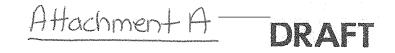
<u>ADJOURN</u>

- ** COMMISSIONER GOLDSTEIN MOVED TO ADJOURN.
- ** COMMISSIONER BROWN SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 9:32 p.m.

Respectfully submitted,

Cynthia Tenney Executive Assistant Third Taxing District



SECOND PROMISSORY NOTE AND REVOLVING TERM LOAN MODIFICATION AGREEMENT

THIS MODIFICATION AGREEMENT, made effective as of this day March 14, 2018 between THE THIRD TAXING DISTRICT OF THE CITY OF NORWALK, having a principal place of business at 2 Second Street, Norwalk, Connecticut 06855, (the "Borrower") and PATRIOT BANK, N.A., formerly known as Patriot National Bank, a federally chartered bank association, having an office at 900 Bedford Street, Stamford, Connecticut 06901 (hereinafter called the – Lender).

BACKGROUND

WHEREAS, on July 12, 2013, the Lender and Borrower entered into a Variable Rate Commercial Revolving Term Loan Agreement (the "Loan Agreement") whereby Lender agreed, subject to the terms and conditions of the Loan Agreement, to make available loan advances in an amount of up to \$500,000 (the Loan"); and

WHEREAS, on July 12, 2013, Borrower executed a \$500,000 Term revolving Promissory Note (the "Note") evidencing all advances to be made under said loan Agreement. The Loan evidenced by the loan Agreement and the Note are secure by a lien on all assets of the Borrower and certain inventory equipment and property located at 6 Fitch Street, Norwalk, Connecticut; and

WHEREAS, on November 9, 2016, the Lender and Borrower entered into a first loan Modification Agreement Renewal of Line of Credit of \$500,000 to be Matured on December 1,2017. Term revolving Promissory Note (the "Note") evidencing all advances to be made under said loan Agreement. the Note are secure by a lien on all assets of the Borrower and certain inventory equipment and property located at 6 Fitch Street, Norwalk, Connecticut; and

WHEREAS, Borrower has requested Lender extend the Maturity Date of the Loan to December 1, 2018 and to make other changes and modifications to the Note and Mortgage as provided herein; and

NOW, THEREFORE, for the reasons set forth above, and for good and valuable consideration received by one for the other and the mutual covenants herein contained, and each and every act to be performed hereunder by any of the parties hereto. As well as all such covenants, promises and agreements contained in the Note and Mortgage. As amended below, Borrower and Lender covenant and agree as follows:

DRAFT

SECTION 1

NOTE AND MORTGAGE MODIFICATION

- 1. (a) The parties hereto acknowledge and agree the Borrower has paid and Lender has received all monthly installments of interest due through March 1, 2018 at the rate for which provision is made in said Note.
- (b) The parties hereto agree and acknowledge that the current principal balance due under the Note is \$0.00.
 - 2. The Loan Agreement and the Note are modified to read as follows:
- (a) Section 1(a) of the Loan Agreement is modified by extending the Maturity Date of July 1, 2016 to December 1, 2018 as the Maturity Date at which time all principal sums and accrued and paid interest shall become due and payable.
- (b) Section 2 of the Note is amended by deleting July 1, 2016 and substituting December 1, 2018 as the Maturity Date under the Note.
 - (c) Section 1.1 of the Note is amended by adding a floor rate of 4.50%.

SECTION 2



BINDING EFFECT, MISCELLANEOUS

- 1. Borrower hereby acknowledges and reaffirms its liability for the indebtedness evidenced by the Note, the Loan Agreement and each of the various instruments and agreements evidencing and/or securing such consolidated indebtedness (collectively, the "Loan Documents") and acknowledges and agrees that no set-off, Counterclaim or defense exists with respect to its' liability under the Note and that no other claims against the Lender exist. Borrower hereby waives Borrowers' rights to raise any such set-off, counterclaim, defense or claim against the Lender arising out of occurrences prior to the date of this Modification Agreement.
- 2. All of the representations, warranties and covenants contained in the Loan Agreement are true and correct and as of the date hereof, are incorporated by this reference and are remade as of the date hereof.
- 3. All other terms and conditions of the Loan Agreement, Note and other Loan Documents shall remain the same and in full force and effect except as specifically amended by this Modification Agreement.
- 4. This Agreement shall be biding upon Borrower and the Lender and their respective successors and assigns.
- 5. This Agreement may be executed in any number of counterparts, each of which shall constitute one and the same instrument and either party hereto may execute this Agreement by signing any such counterpart.

IN WITNESS WHEREOF, the undersigned have executed this Second Promissory Note and Revolving Term Loan Modification Agreement as of the day and year first above written.

WITNESSES:	BORROWER:			
ent de la constitución de la con	THE THIRD TAXING DISTRICT OF THE CITY OF NORWALK			
	By: Name: Kevin Barber Its: General Manager			
	PATRIOT BANK, N.A., f/k/a PATRIOT NATIONAL BANK			
	By: Name: Barbara Budnick Its: Senior Vice President			

COMMISSIONER (name of Commissioner) MOVED TO APPROVE THE MINUTES OF (date of meeting) SPECIAL COMMISSION MEETING.

OR

COMMISSIONER (name of Commissioner) MOVED TO APPROVE THE MINUTES OF (date of meeting) SPECIAL COMMISSION MEETING AS CORRECTED.

THIRD TAXING DISTRICT

of the City of Norwalk Commission Meeting April 16, 2018

ATTENDANCE: Commissioners: Debora Goldstein (Acting Chair);

Pamela Parkington; Treasurer: Johnnie Mae Weldon

STAFF: Kevin Barber, General Manager; Ron Scofield, Assistant General

Manager

OTHERS: Andrew Strauss (Norwalk Tree Alliance)

Sarah Mills and Becky Riddell (Marvin PTA)

Steve Bartush (Shellfish Commission)

Peter Johnson (CMEEC Ratepayer Representative)

CALL TO ORDER

Commissioner Goldstein called the meeting to order at 7:02 p.m. A quorum was present.

PUBLIC COMMENT

No one from the public was in attendance to comment.

NORWALK TREE ALLIANCE DONATION REQUEST

Mr. Andrew Strauss, President of the Norwalk Tree Alliance, gave a brief report to the Commission on how the funds that were granted for FY17-18 were spent. A tree lottery was held during the month of March 2018. Over 50 entries were received. From those entries, twelve residents were chosen and will receive a tree for their front yard, which will be purchased and planted by a professional landscaper within the next two weeks.

The Norwalk Tree Alliance has made a donation request for FY18-19 in the amount of \$2,500. If the request is approved, it is their hope that they will be able to continue this program and consider the other residents that were not able to receive a tree this year.

- ** COMMISSIONER GOLDSTEIN MOVED TO ACCEPT THE NORWALK TREE ALLIANCE DONATION REQUEST IN THE AMOUNT OF \$2,500 TO BE FUNDED OUT OF OTHER DISTRICT SERVICES IN THE DISTRICT BUDGET AND WILL BE AWARDED AFTER JULY 1, 2018, AFTER A PRESENTATION OF A PLAN FOR THE TREES.
- ** COMMISSIONER PARKINGTON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

MARVIN PTA DONATION REQUEST

Ms. Sarah Mills of the Marvin PTA reviewed the current programs that they are looking to be funded through a donation request from TTD. She explained to the Commission that Marvin Elementary School is a Title One school, which means that 50% or more of their students are at or lower than poverty level.

The donation request is in the amount of \$6,500. The programs would benefit all the children at the school and are in line with the requirements for the funding (electricity and conservation).

- ** COMMISSIONER PARKINGTON MOVED TO ACCEPT THE APPLICATION OF DISTRICT FUNDS FOR MARVIN ELEMENTARY SCHOOL IN THE AMOUNT OF \$6,500 AND WILL BE AWARDED AFTER JULY 1, 2018.
- ** COMMISSIONER GOLDSTEIN SECONDED.

Mr. Scofield reminded the Commission that there was only \$8,000 in the upcoming District Budget for Other District Services and by granting both the requests from the Norwalk Tree Alliance and the Marvin PTA, would go over budget.

- ** COMMISSIONER PARKINGTON AMENDED THE MOTION OF APPLICATION FOR DISTRICT FUNDS TO MARVIN ELEMENTARY SCHOOL AND HAVE \$5,500 BE FUNDED OUT OF OTHER DISTRICT SERVICES AND \$1,000 FROM CONTINGENCY.
- ** COMMISSIONER GOLDSTEIN SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

MINUTES OF MEETING

March 29, 2018 Special Joint Meeting

- ** COMMISSIONER GOLDSTEIN MOVED TO TABLE THE MINUTES OF MARCH 29, 2018 SPECIAL JOINT MEETING OF THE TTD, SHELLFISH COMMISSION AND HARBOR COMMISSION TO MAY 7, 2018 ON THE BASIS THAT WE DO NOT HAVE A SUFFICIENT NUMBER OF PEOPLE TO GET A MAJORITY VOTE.
- ** COMMISSIONER PARKINGTON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

April 9, 2018 Special Meeting

- ** COMMISSIONER GOLDSTEIN MOVED TO TABLE THE MINUTES OF APRIL 9, 2018 SPECIAL COMMISSION MEETING TO MAY 7, 2018.
- ** COMMISSIONER PARKINGTON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

PERSON-TO-PERSON REPORT

Mr. Scofield said he met with Mary Sullivan from Person-to-Person in February to review the program for the past year. The joint program has just completed year 4 and the results were very successful.

Mr. Scofield explained how the program works. Clients are chosen on the basis of need and are recommended to Person-to-Person by Third Taxing District. The caseworker assigned reviews the household budgets with the applicants and explores the needs and goals of the client and family. Upon completion of the assessment process, the families sign a contract agreeing to pay an amount each month for six months that is close to their average electric bill. Once completed successfully, they receive a credit on their TTD account equal to the 6-month total.

Commissioner Parkington asked what the total amount is that Third Taxing District funds for this program. Mr. Scofield replied that it was \$20,000 for this past year and appears in the Operating Budget. The amount has not yet been determined for the upcoming budget, but it is his hope that the Commission will approve it.

Commissioner Goldstein suggested that this might be a type of program TTD could fund for the Library. They could have Person-to-Person come and assist or give advice to residents on their personal finances.

LIBRARY ROOF BIDS

Mr. Barber stated that at the request of the Commission, staff secured proposals for putting a new roof on the East Norwalk Library. TTD engaged Gill & Gill Architects to prepare the bid documents in order that each bidder would be bidding on exactly the same specs. Four roofers requested the RFP, but only two placed bids – Rick's Main Roofing Ltd. and Milan Expert Renovation LLC.

Rick's Main Roofing was the lower of the two bids in the total amount of \$31,230, which includes the bid price, add alternate 1 (ogee gutters and 3"x4" leaders which is not expected to be required), add alternate 2 (2" round perforated soffit vents) and a contingency (possible replacement of sheathing).

Staff consulted with Gill & Gill on the two bids, and it is their recommendation, as well as TTD's, to award the roof replacement project to Rick's Main Roofing Ltd. in the amount of \$31,230.00 and broken down as follows:

Bid Price	\$21,600.00
Alternate 1	0.00 (Not expected to be required)
Alternate 2	1,530.00
Contingency	8,100.00 (Possible replacement of sheathing)
•	\$31,230.00

Mr. Barber explained that they are requesting the full contingency in the bid price, in order to avoid having to come back to the Commission and request additional funds should they be needed for the sheathing.

Commissioner Goldstein stated her belief is that Commissioner Brown (who is not in attendance at this meeting) would not be in support of a project cost of this size with only two bids. Commissioner Goldstein was concerned whether or not the project was bid out properly. Mr. Barber assured her that it was properly notified and appeared in The Hour two days during the month of April under the Legal Notices/Classifieds. There was interest from four roofers, but unfortunately only two placed bids.

** COMMISSIONER PARKINGTON MOVED TO ACCEPT GILL & GILL'S RECOMMENDATION FOR THE EAST NORWALK LIBRARY ROOF REPLACEMENT PROJECT, GRANTING IT TO RICK'S MAIN ROOFING LTD.IN THE AMOUNT OF \$31,230 AS BROKEN DOWN BY BID PRICE OF \$21,600, ALTERNATE 2, WHICH IS VENTING, OF \$1,530 AND A CONTINGENCY FOR POSSIBLE REPLACEMENT OF THE ENTIRE ROOF SHEATHING OF \$8,100, TOTAL BID ACCEPTANCE OF \$31,230.

** COMMISSIONER GOLDSTEIN SECONDED.

Commissioner Goldstein added a friendly amendment.

- ** COMMISSIONER GOLDSTEIN AMENDED THE MOTION TO CLARIFY THAT THE CONTINGENCY IS AVAILABLE IF AND ONLY IF STAFF IS PROVIDED PROPER DOCUMENTATION OF THE NEED AND APPROVED.
- ** COMMISSIONER GOLDSTEIN SECONDED THE MOTION AS AMENDED.
- ** THE MOTION PASSED UNANIMOUSLY.

DISCUSSION OF POWER COST ADJUSTMENT (PCA)

Mr. Barber recapped the meeting of April 9, 2018 where he presented the Rate Stabilization Fund, how it works and setting a target balance. He mentioned that the second piece would be the PCA (Power Cost Adjustment).

What is a Power Cost Adjustment? The PCA is a mechanism that is used to allow TTD to recover the full cost of purchased power when the actual cost of power is greater than the base fuel cost rate. The base fuel cost is another term used for generation.

The current base fuel cost is \$0.0958/kWh with a current PCA rate of \$0.0230/kWh. The total generation is \$0.1188/kWh. The base fuel cost was developed during a rate study conducted in 2014. At that time an initial PCA was set at \$0.01/kWh. The intent of the PCA is to recover costs. A PCA adjustment is not considered a rate change. It is a mechanism to cover generation when it increases in price.

The PCA is calculated by comparing the Base Fuel Cost to the Purchased Power Costs (CMEEC monthly bill). TTD has been utilizing a spreadsheet developed by the rate consultant to calculate the PCA on a monthly basis. The PCA is calculated by comparing the six month running average of the cost of power to the base fuel cost. The difference is the Calculated PCA.

In addition, the spreadsheet calculates if TTD is in an over or under collection state on an ongoing basis. The intended use of this information is to determine if and when an adjustment to the PCA is warranted.

After Mr. Barber conducted an in-depth analysis of the PCA spreadsheet, three issues surfaced.

- Grand Total Purchase Power Costs The billed cost of power was used instead of the actual cost of power and the total cost used also included CyrusOne charges.
- Total Purchased Power kWh Units CyrusOne usage was included.
- Total System Retail Sales CyrusOne usage was included.

These three issues caused a "skewed" result for the "Calculated PCA" and the "Difference of Collection vs. Expense" in the spreadsheet.

CyrusOne has a special contract with TTD and CMEEC to purchase their electricity needs directly from the market and they are not charged a PCA as part of this special contract. Because they are not charged a PCA, their data (dollars and usage) should not be included in the calculations.

Previously, the spreadsheet indicated an over collection of \$2,087,340 as of January 2018. In the revised spreadsheet, using the correct data (backing out CyrusOne data), the over collection is \$5,095,340 as of January 2018. Where did these funds go? They were put into the Rate Stabilization Fund which funded major capital projects, i.e., Fitch Street Substation and SCADA.

Mr. Barber also suggested that this might be a good time to conduct another rate study or have a "tune-up" to the one conducted in 2014.

The PCA will need to be adjusted, but Mr. Barber is suggesting that the Commission wait on this until the FY2018-19 operating and 5-year capital budgets are approved in June. At that time, Mr. Barber will bring recommendations for the PCA to the Commission for their approval.

DISCUSSION: FOLLOW-UP TO SHELLFISH/HARBOR/TTD MEETING RE: EVERSOURCE UNDERGROUNDING

Commissioner Goldstein noted that Steve Bartush from the Shellfish Commission has joined the meeting and that the TTD's CMEEC Ratepayer Representative, Peter Johnson, is also the Chairman for the Shellfish Commission. Commissioner Goldstein had asked Chairman Brown to have this discussion added to this meeting because of the timelines involved.

Commissioner Goldstein continued that the idea would have been to decide if the TTD Commission is going to take a position in support of the other agencies. This would probably be one or more support letters to the agencies involved and how closely TTD's recommendations would align with the other two Commissions or whether TTD's Commission would want to do something that is outside of their purview due to jurisdictions. TTD would have the ability to take this on as the Commission is a legislative body and has a broad interest in the representation for the ratepayers.

Commissioner Goldstein provided as much back-up information as was available at the time from the Harbor Management Commission, but was not able to secure anything from the Shellfish Commission in time for the Commission packet. Mr. Bartush then read, for the record, the letter from the Shellfish Commission. (Please see Attachment 1 for the letter.)

Discussion took place about the project, the drilling, and any effects it would have. If the TTD Commissions wrote a letter in support of the Shellfish and Harbor Management Commissions, as the legislative and representative body of the Third Taxing District, you could go further and state that while TTD does not have the expertise, TTD could hire the expertise to make a recommendation. The TTD Commission strongly believes other alternatives should be explored.

The current route for the undergrounding would begin at Police Headquarters parking lot, down Elizabeth Street, across Water Street and then across the harbor to the northeast through the northern end of the docks, and go up Fort Point Street. Currently, there are no alternative routes for the undergrounding.

Commissioner Goldstein made reference to the FERC (Federal Energy Regulatory Commission) regulations, Section 380.15 – Siting and Maintenance Requirements. Based on the FERC's regulations, Commission Goldstein thought that it could be beneficial for TTD's Commission to suggest that Eversource not go through a city park and take care with regard to the shellfish beds in the harbor. Alternative route should be explored.

Commissioner Goldstein asked Mr. Bartush to talk about the Submarine communications cable. Mr. Bartush explained that the temporary communications cable is a cable that will be nearly in

the footprint of the current walk bridge. It crosses inside the fendering of the bridge. The current proposal is to clam shell dredge to a depth of seven feet in order to lay these lines with the spoils to be transported and dewatered at Devine Bros. Apparently from Mr. Bartush's communication with the DOT, it will be filtered and treated if necessary which is not clear in their application or the permit based on their testing. As an aside, the Shellfish and Harbor Management Commissions have formally asked the DOT if their representatives (scientists between the two Commissions) could get together with them. They did not respond "no."

Commissioner Goldstein said that potentially what the Commission could be doing is writing four to five support letters and whether or not TTD wants to hire an engineer to give expertise on the safety issues.

- ** COMMISSIONER GOLDSTEIN MOVED WHEREAS THE COMMISSION OF THE THIRD TAXING DISTRICT HAS REVIEWED VARIOUS MATERIALS IN CONNECTION WITH THE PROPOSED UNDERGROUNDING OF EVERSOURCE HIGH VOLTAGE TRANSMISSION LINES UNDERNEATH THE HARBOR THROUGH VISITORS' DOCKS AND BENEATH VETERAN'S PARK, WE SO DESIRE TO ISSUE ONE OR MORE LETTERS SUPPORTING THE SHELLFISH COMMISSION AND NORWALK HARBOR MANAGEMENT COMMISSION RECOMMENDATIONS TO THE VARIOUS AGENCIES THAT WILL BE CONSIDERING THIS APPLICATION EVENTUALLY TO GO BEFORE THE CONNECTICUT SITING COUNCIL AND ARE DESIROUS OF ISSUING SUCH LETTERS OF SUPPORT WITH ALL DUE HASTE.
- ** COMMISSIONER PARKINGTON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.
- ** COMMISSIONER GOLDSTEIN MOVED WHEREAS THE COMMISSION OF THE THIRD TAXING DISTRICT HAS REVIEWED VARIOUS MATERIALS IN CONNECTION WITH THE PROPOSED UNDERGROUNDING OF EVERSOURCE HIGH VOLTAGE TRANSMISSION LINES UNDERNEATH THE HARBOR THROUGH VISITORS' DOCKS AND BENEATH VETERAN'S PARK, THE COMMISSION DESIRES TO CONSULT WITH, AND IF NECESSARY, ISSUE A POSITION LETTER WITH REFERENCE TO THE RELEVANT FERC (FEDERAL ENERGY REGULATORY COMMISSION) REGULATIONS IN CONNECTION WITH THIS APPLICATION.
- ** COMMISSIONER PARKINGTON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.
- ** COMMISSIONER GOLDSTEIN MOVED WHEREAS THE COMMISSION OF THE THIRD TAXING DISTRICT HAS REVIEWED VARIOUS MATERIALS IN CONNECTION WITH THE PROPOSED UNDERGROUNDING OF EVERSOURCE HIGH VOLTAGE TRANSMISSION LINES UNDERNEATH THE HARBOR THROUGH VISITORS' DOCKS AND BENEATH VETERAN'S PARK, THE

COMMISSION HAS DECIDED THAT IT WOULD BE OF BENEFIT TO THE RATEPAYERS OF THE THIRD TAXING DISTRICT TO ISSUE A MUNICIPAL LETTER IN CONNECTION WITH THE ARMY CORPS ENGINEER PERMIT THAT REQUIRES SUCH A LETTER FROM THE CHIEF EXECUTIVE OF THE MUNICIPALITY THAT SUPPORTS THE SHELLFISH COMMISSION AND NORWALK HARBOR MANAGEMENT COMMISSION'S POSITION THAT AN ALTERNATIVE ROUTE BE EXPLORED.

- ** COMMISSIONER PARKINGTON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.
- ** COMMISSIONER GOLDSTEIN MOVED WHEREAS THE COMMISSION OF THE THIRD TAXING DISTRICT HAS REVIEWED VARIOUS MATERIALS IN CONNECTION WITH THE PROPOSED UNDERGROUNDING OF EVERSOURCE HIGH VOLTAGE TRANSMISSION LINES UNDERNEATH THE HARBOR THROUGH VISITORS' DOCKS AND BENEATH VETERAN'S PARK, THE SUBMARINE CABLE REFERENCED IN THE MINUTES OF MARCH 29, 2018 JOINT COMMISSION MEETING AMONGST THE THIRD TAXING DISTRICT, SHELLFISH COMMISSION AND NORWALK HARBOR MANAGEMENT COMMISSION, THE THIRD TAXING DISTRICT COMMISSION WOULD LIKE TO ISSUE A LETTER OF SUPPORT OF THE SHELLFISH COMMISSION'S RECOMMENDATIONS WITH THE PROJECT.
- ** COMMISSIONER PARKINGTON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.
- ** COMMISSIONER GOLDSTEIN MOVED WHEREAS THE COMMISSION OF THE THIRD TAXING DISTRICT HAS REVIEWED VARIOUS MATERIALS IN CONNECTION WITH THE PROPOSED UNDERGROUNDING OF EVERSOURCE HIGH VOLTAGE TRANSMISSION LINES UNDERNEATH THE HARBOR THROUGH VISITORS' DOCKS AND BENEATH VETERAN'S PARK, THE THIRD TAXING DISTRICT COMMISSION WISHES TO SECURE AN EXPERT TO MAKE RECOMMENDATIONS WITH REGARD TO THE POSSIBLE CONSIDERATIONS OF ELECTRIC SAFETY IN CONNECTION WITH THE EVERSOURCE UNDERGROUNDING PROJECT, WE WOULD LIKE TO DIRECT STAFF TO HIRE A CONSULTING ENGINEER TO PROVIDE US WITH AN ANALYSIS OF THE DOCK DESIGN AND THE PROPOSED EVERSOURCE PROJECT AND ADVISE THE COMMISSION OF ANY SAFETY ISSUES OF WHICH THEY SHOULD BE AWARE.
- ** COMMISSIONER PARKINGTON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

ADJOURN

- ** COMMISSIONER GOLDSTEIN MOVED TO ADJOURN.
- ** COMMISSIONER PARKINGTON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 9:05 p.m.

Respectfully submitted,

Cynthia Tenney Executive Assistant Third Taxing District



4/16/18 Norwalk Shellfish Commission 137 East Avenue Norwalk, CT 06851

Third Taxing District Commission 2 Second Street East Norwalk, CT 06855

Dear Third Taxing District Commissioners:

This letter is to express our opposition to the Eversource-proposed positioning of twin 115kV electric transmission lines under Norwalk Harbor through the North side pilings of the Norwalk Visitors' Docks and the involvement parking area of the David S. Dunavan Boating Center.

This is an unacceptable placement as it will permanently limit the long-term maintenance and/or expansion of the newly-constructed pilings, docks and ramps in the area. The shellfishing community depends on this area as the only trailered-boat public launching facility in the City of Norwalk. Any potential disruption of this service would immediately curtail the shellfishing season. Historically, pilings in this location have been moved by vessels too large to safely dock. A future piledriving accident would be a tragedy for those involved and a shellfish ecological disaster. According Mitchell E. Mailman, a nationally recognized expert in the field of Horizontal Directional Drilling (HDD), in a letter provided to the Norwalk Harbor Management Applications Review Committee, the accuracy of HDD isn't high enough to guarantee the five-plus feet of horizontal piling clearance specified by Eversource. It is clear from Mr. Mailman's commentary that the proposed route is not the only route able to be navigated by HDD in the general area. HDD seems to be a far more versatile method than the Eversource path assumes. Further, FERC Guidelines specify the avoidance of recreational land, which the Boating Center surely is.

We are also concerned about the proximity to the harbor of the two (3600ft² West bank, 2700ft² East bank) pits to be used in the HDD process. We question if they are too close to the harbor to contain potential drilling mud issues. Additionally, we have not seen data to indicate the drilling path is deep enough or is accounting for potential fissures or irregularities in the substrate which would allow drilling mud to enter the environment vertically from the bore hole.

In the Connecticut Siting Council's words, we're seeking to "develop a mutually appropriate and reasonable alternative solution" which likely exists. We would contribute to the City of Norwalk's testimony should the City become an official party to the CSC's evidentiary part of any public hearing.

Sincerely

Peter Johnson, Norwalk Shellfish Commission Chair

Steven Bartush, Norwalk Shellfish Commissioner

MOTION FOR MINUTES

COMMISSIONER (name of Commissioner) MOVED TO APPROVE THE MINUTES OF (date of meeting) REGULAR MEETING.

OR

COMMISSIONER (name of Commissioner) MOVED TO APPROVE THE MINUTES OF (date of meeting) REGULAR MEETING AS CORRECTED.

Third Taxing District Financial Highlights Jul-Mar 2018 vs. Jul-Mar 2017

		Jul-Mar 18	July-Mar 2017	\$ Change	% Change
Total Income	*	7,775,222	7,888,761	-113,539	-1.44%
Total Expense		7,475,538	8,138,765	-663,227	-8.15%
Net Ordinary Income		299,684	(250,004)	549,688	220%
Other Income		1,031,285	380,281	651,004	171%
Other Expense		20,144	36,126	(15,982)	-44%
Net Income before Rate Stabilization		1,310,825	94,151	1,216,674	1292%
Rate Stabilization		1,089	1,254,217	-1,253,128	-100%
Net Income		1,311,914	1,348,369	(36,454)	-3%

CASH BALANCES FY 06/30/2018

	19141-10
ACCTS	
Operating Accounts	1,745,763
Construction WIP	48,148
Savings	1,488,121
Capital Improvements Fund	1,348,060
	,

TTD Outstanding Principal Balance with CMEEC

Balance as of July 1, 2016	4,345,583
Current Balance	3,216,242

Current Fiscal Year Capital Additions to date 627,060

Power Supply	Current Fi	scal Year-to-Date	Last Fisca	l Year-to-Date]\$ Change	% Change
Energy Cost	\$	4,409,827	\$	5,010,372	\$(600,545)	-12%
Budget Energy Cost	\$	4,057,041	\$	4,759,853	\$(702,812)	-15%
Energy Cost Cents/KWH		9.400		10.800	\$ (1.40)	-13%

Third Taxing District Profit & Loss Prev Year Comparison

March 2018

	Mar 18	Mar 17	\$ Change	% Change
Ordinary Income/Expense				
Income				
443-00 · Cervalis Data Center Revenues	18,766.92	18,303.14	463.78	2.539
440-00 · Residential Sales	303,544.74	307,970.97	-4,426.23	-1.44
442-01 Large Commercial Sales	76,421.34	88,719.26	-12,297.92	-13.86°
442-02 · Small Commercial Sales	193,130.28	190,776.11	2,354.17	1.23
445-01 · Water Pollutn Contrl Pint Sales	84,600.45	81,477.12	3,123.33	3.83
445-02 · Flat Rate	8,471.04	8,630.79	-159.75	-1.85
451-00 · Miscellaneous Service Revenue	28,893.63	2,347.53	26,546.10	1,130.81
557-00 · Purchased Power Adjustment	95,521.34	106,671.50	-11,150.16	-10.45
Total Income	809,349.74	804,896.42	4,453.32	0.55
Cost of Goods Sold				
555-00 · Electrical Power Purchased	478,467.03	489,912.31	-11,445.28	-2.34
Total COGS	478,467.03	489,912.31	-11,445.28	-2.34
Gross Profit	330,882.71	314,984 <i>.</i> 11	15,898.60	5.05
Expense				
904-00 Substation	13,463.33	12,774.54	688.79	5.39
403-00 · Depreciation Expense	64,676.80	64,676.80	0.00	0.0
408-00 Taxes	946.78	921.04	25.74	2.8
540-00 · Other Power Generation Expense	1,603.12	26,137.04	-24,533.92	-93.87
580-00 · Distribution Expenses	4,716.82	17,590.21	-12,873.39	-73.19
590-00 · Maintenance Expenses	51,354.44	44,616.45	6,737.99	15.1
900-00 · Customer Accounts & Service	32,387.84	24,137.56	8,250.28	34.18
920-00 · Administrative Expenses	120,139.38	167,328.76	-47,189.38	-28.2
980-00 · General Community Expenses	0.00	0.00	0.00	0.0
Total Expense	289,288.51	358,182.40	-68,893.89	-19.23
Net Ordinary Income	41,594.20	-43,198.29	84,792.49	196.29
Other Income/Expense				
Other Income				
418-00 · Dividends	2,850.00	7,310.93	-4,460.93	-61.02
419-00 · Interest Income	710.00	500.26	209.74	41.93
420-00 · Gain/(Loss) on Investments	0.00	13,554.94	-13,554.94	-100.0
421-00 · Norden Project Income	44,337.55	22,035.30	22,302.25	101.21
424-00 · Energy Conservation Fund Income	10,387.17	10,671.27	-284.10	-2.66
Total Other Income	58,284.72	54,072.70	4,212.02	7.79
Net Other Income	58,284.72	54,072.70	4,212.02	7.79
Income before rate stabilization	99,878.92	10,874.41	89,004.51	818.48
Rate Stabilization	44,537.41	89,979.07	-45,441.66	-50.5

Third Taxing District Profit & Loss Prev Year Comparison

July 2017 through March 2018

	PROPERTY AND ADDRESS OF THE PROPERTY OF THE PR				
	Jul '17 - Mar 18	Jul '16 - Mar 17	\$ Change	% Change	
Ordinary Income/Expense					
Income					
443-00 · Cervalis Data Center Revenues	183,173.30	152,576.60	30,596.70	20.05%	
440-00 · Residential Sales	2,957,242.93	2,980,755.70	-23,512.77	-0.79%	
442-01 · Large Commercial Sales	789,457.59	788,632.47	825.12	0.11%	
442-02 · Small Commercial Sales	1,976,740.12	1,993,020.34	-16,280.22	-0.82%	
445-01 · Water Poliutn Contrl Pint Sales	753,132.21	749,820.37	3,311.84	0.44%	
445-02 · Flat Rate	70,834.54	71,942.55	-1,108.01	-1.54%	
451-00 · Miscellaneous Service Revenue	84,659.08	25,967.31	58,691.77	226.02%	
557-00 · Purchased Power Adjustment	959,982.20	1,126,045.24	-166,063.04	-14.75%	
Total Income	7,775,221.97	7,888,760.58	-113,538.61	-1.44%	
Cost of Goods Sold					
555-00 · Electrical Power Purchased	4,409,827.20	5,010,371.89	-600,544.69	-11.99%	
Total COGS	4,409,827.20	5,010,371.89	-600,544.69	-11.99%	
Gross Profit	3,365,394.77	2,878,388.69	487,006.08	16.92%	
Expense					
904-00 · Substation	123,149.97	105,303.47	17,846.50	16.95%	Footnote 1
403-00 · Depreciation Expense	582,091.20	582,091.20	0.00	0.0%	
408-00 · Taxes	198,995.65	174,787.64	24,208.01	13.85%	
540-00 · Other Power Generation Expense	76,153.22	123,490.72	-47,337.50	-38.33%	Footnote 2
580-00 · Distribution Expenses	99,321.07	121,470.38	-22,149.31	-18.23%	Footnote 3
590-00 · Maintenance Expenses	402,430.92	394,497.97	7,932.95	2.01%	
900-00 · Customer Accounts & Service	253,577.94	190,199.04	63,378.90	33.32%	Footnote 4
920-00 · Administrative Expenses	1,329,990.83	1,436,552.43	-106,561.60	-7.42%	Footnote 5
980-00 · General Community Expenses	0.00	0.00	0.00	0.0%	
Total Expense	3,065,710.80	3,128,392.85	-62,682.05	-2.0%	,
Net Ordinary Income	299,683.97	-250,004.16	549,688.13	219.87%	
Other Income/Expense	200,000.07	200,00 1.70	0.0,000.10	210.0170	
Other Income					
418-00 · Dividends	33,139.90	24,639.18	8,500.72	34.5%	
419-00 · Interest Income	5,018.57		-301.79	-5.67%	
420-00 · Gain/(Loss) on Investments	31,237.31	31,983.33	-746.02	-2.33%	
421-00 · Norden Project Income	404,709.05		177,862.82	78.41%	
423-00 · Gain/(Loss) from Sale of FA	5,904.27	•	1,305.32	28.38%	
	53,311.61	·	-33,081.39	-38.29%	
424-00 · Energy Conservation Fund Income 425-00 · Miscellaneous Income	497,964.50		497,464.50		Footnote 6
					s
Total Other Income	1,031,285.21	380,281.05	651,004.16	171.19%	
Other Expense	00.000.00	00.000.00	0.00	0.00/	
426-30 · PERSON TO PERSON	20,000.00	•	0.00	0.0%	
942-00 · Interest Expense	0.00		-140.09	-100.0%	
990-00 · Miscellaneous items	144.29		-15,841.12		Footnote 7
Total Other Expense	20,144.29	CHICAGO CONTRACTOR CON	-15,981.21	-44.24%	
Net Other Income	1,011,140.92		666,985.37	193.8%	
Income before rate stabilization	1,310,824.89	94,151.39	1,216,673,50	1,292.25%	
Rate Stabilization	1,089.19	1,254,217.43	-1,253,128.24	-99.91%	5
Income	1,311,914.08	1,348,368.82	-36,454.74	-2.7%	_
					=

Third Taxing District Profit & Loss Statement Explanation of Major Variances Jul-Mar 2018 vs. Jul-Mar 2017

- 1. The increase in substation expense of \$17K is due mainly to an increase in call time as well as substation supplies. Note: All call time in relation to substation is now reported under this expense correctly as some was reported under distribution in the prior year.
- 2. The \$47K decrease in Other Power Generation Expense is due to a decrease in expenses with HO Penn and Miratech with respect to the prior year. The timing of fuel expenditures with East River for the generators is also accountable for the decrease with respect to the prior year.
- 3. The \$22K decrease in Distribution expense is due to a \$9K decrease in substation supplies, a \$8K decrease in Overhead lines expenses, and the remainder of the decrease is in substation maintenance.
- 4. The \$63K increase in Customer Accounts and services is due mainly to a reclass of wages in the current year for Kristen Malone. Kristen's wages were listed under the administrative category in the prior year and have been moved to customer accounts to remain consistent with our current year budget.
- 5. Administrative expenses decreased approximately \$106K due to the reclass of wages noted above in Footnote 2 as well as notable decreases in seminars and trainings, and company truck expense as we no longer are leasing the Bucket Truck with Altec. Furthermore attributing to the decrease is that Jim Smith's wages were not present during the part of the year and Ron Scofield was receiving a stipend. Also, the repair and maintenance of the seawall project was included in our prior year expenditures. The remainder of the decrease is in the timing of insurance payments.
- 6. This amount represents the year-to-date equity distributions from CMEEC.
- 7. The prior year amount of \$15K is representative of the balance written off as an incentive for Cervalis to prepay their entire loan amount off..

THIRD TAXING DISTRICT KEY PERFORMANCE INDICATORS (KPI'S)

			2018	Mar 2017	Industry Average (Bandwidth)
1)	OPERATING RATIO	TOTAL OPERATING EXPENSE / TOTAL OPERATING REVENUE	96.15%	103.17%	95-105%
2)	POWER SUPPLY EXPENSE RATIO	TOTAL POWER SUPPLY EXPENSES / TOTAL EXPENSES	59%	62%	65% - 70%
3)	OUTSTANDING RECEIVABLES	TOTAL DOLLAR AMOUNT OF CUSTOMER RECEIVABLES OVER 90 DAYS	\$32,525	\$44,530	
. 4)	ACTUAL RATE OF RETURN ON RATE BASE	AUTHORIZED BY STATE STATUTE	10.9%	11.2%	Varies by state
5)	ELECTRIC CUSTOMERS PER EMPLOYEE	TOTAL ELECTRIC CUSTOMERS / TOTAL FULL TIME EMPLOYEES	351	350	200 - 500
6)	Rate Stabilization	Rate Stabilization Fund Balance	\$3,940,153	\$3,701,066	Commission Approved Target of \$2.75MM - \$3.0MM
7)	ENERGY LOSS %	TOTAL ENERGY LOSSES/TOTAL SOURCES OF ENERGY	4.40%	4.10%	2.5% - 6%
8)	SYSTEM LOAD FACTOR	TOTAL KWH SALES + TOTAL kwh ENERGY LOSSES/8760/ HIGHEST HOURLY PEAK DEMAND	56.5%	53.0%	50% - 65%

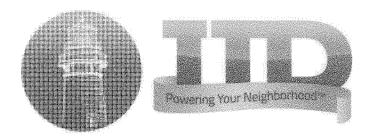
East Norwalk - PCA Calculation

Power Cost Adjustment Calculation 6 Month Rolling Average (starting January 2014) All three companies have performed work in the District.

Orange indicates data is from the preliminary CMEEC monthly bill, numbers will change when the "true up" numbers are available form CMEEC Green indicates the final numbers have been entered for the month.

Colors will change when actual numbers are received.

	Ĭ	2017 July	2017 August	2017 September	2017 October	2017 November	2017 December	2018 January	2018 February	2018 March	2018 April	2018 May	2018 June
Total Energy	kWh			State of the later	S. S. C. L. C.								
CMEEC Billable rate (\$/kWh)	\$/kWh	0.09000	0.09000	0.09000	0.09000	0.09000	0.09000	0.09000	0.09000	0.09000	0.09000	0.09000	0.09000
Grand Total (Actual) Purchased Power Costs	\$	\$ 491,136	\$ 475,890	\$ 415,180	\$ 393,967	\$ 422,276	\$ 530,620	\$ 613,999	\$ 501,605	\$ 427,941	\$ 374,701	\$ 355,756	\$ 394,448
(Sum of current and previous 5 months)	\$	2,444,343	2,514,654	2,544,013	2,596,444	2,628,946	2,729,069	2,851,932	2,877,647	2,890,408	2,871,142	2,804,621	2,668,449
kWh's Purchased	kWh												
Total Purchased Power kWh Units	kWh	6,143,036	5,667,380	4,825,991	4,274,352	4,611,012	5,694,565	6,237,294	4,782,202	5,166,753	4,179,476	4,195,137	4,889,747
(Sum of current and previous 5 months)	kWh	29,713,910	30,636,562	30,175,886	30,327,898	30,658,965	31,216,336	31,310,594	30,425,416	30,766,178	30,671,302	30,255,427	29,450,609
Actual Power Costs per month (\$/kWh)	\$/kWh	0.07995	0.08397	0.08603	0.09217	0.09158	0.09318	0.09844	0.10489	0.08283	0.08965	0.0848	0.08067
Power (Actual) Supply Costs @ Retail	\$	0.0869	0.0867	0.0890	0.0904	0.0905	0.0923	0.0962	0.0999	0.0992	0.0989	0.0979	0.0957
Base Fuel Cost	S	0.0958	0.0958	0.0958	0.0958	0.0958	0.0958	0.0958	0.0958	0.0958	0.0958	0.0958	0.0958
Loss Factor	%	5.6%	5.6%	5.6%	5.6%	5.6%	5.6%	5.6%	5.6%	5.6%	5.6%	5.6%	5.69
Calculated PCA	\$	(0.0089)	(0.0091)	(0.0068)	(0.0054)	(0.0053)	(0.0035)	0.0004	0.0041	0.0034	0.0031	0.0021	(0.0001
Actual PCA Implemented	\$	\$ 0.0230	\$ 0.0230	\$ 0.0230	\$ 0.0230	\$ 0.0230	\$ 0.0230	\$ 0.0230	\$ 0.0230	\$ 0.0230	\$ 0.0230	\$ 0.0230	\$ 0.0230
Total System Retail Sales (kWh's)	kWh	6,019,350	4,852,074	5,239,125	4,289,634	4,127,665	4,538,082	6,107,957	5,377,195	4,181,812	3,945,425	3,960,209	4,615,921
Base PCA Revenue	\$	576,654	464,829	501,908	410,947	395,430	434,748	585,142	515,135	400,618	377,972	379,388	442,205
Fuel Factor Revenue	\$	138,445	111,598	120,500	98,662	94,936	104,376	140,483	123,675	96,182	90,745	91,085	106,166
Total Revenues through PCA	\$	715,099	576,426	622,408	509,609	490,367	539,124	725,625	638,811	496,799	468,716	470,473	548,371
Difference of Collection vs Expense	\$	\$ 4,483,713	\$ 4,584,249	\$ 4,791,477	\$ 4,907,119	\$ 4,975,209	\$ 4,983,714	\$ 5,095,340	\$ 5,232,545	\$ 5,301,404	\$ 5,395,420	\$ 5,510,137	\$ 5,664,061
Over collect / (Under Collect) in each month		\$223,963.06	\$100,536.48	\$207,228.04	\$115,641.49	\$68,090.12	\$8,504.57	\$111,626.07	\$137,205.61	\$68,858.72	\$94,015.74	\$114,717.15	\$153,923.59
RSF Balance at CMEEC		3,897,708	3,955,334	3,985,898	3,984,002	3,983,510	3,961,526	3,866,923	3,880,386	3,940,153.00	3,941,615.82	3,963,430.53	4,009,051.87
Diff between Billed Rate and Actual Cost	\$	0.01005	0.00603	0.00397	(0.00217)	(0.00158)	(0.00318)	(0.00844)	(0.01489)	0.00717	0.00035	0.00520	0.00933
Affect on RSF - by Month	S	61,737.52	34,174.29	19,159,18	(9,275.35)	(7,285.40)	(18,108,72)	(52,642.76)	(71,206.98)	37.067.22	1,462.82	21.814.71	45,621.34



Third Taxing District

2 Second Street East Norwalk, CT 06855

Tel: (203) 866-9271 Fax: (203) 866-9856

Memorandum

To:

TTD Commissioners

From:

Kevin Barber - General Manager

Date:

May 3, 2018

Subject:

2017 CMEEC Excess Equity Distribution

On Wednesday, May 2, 2018, the CMEEC Member Delegation voted unanimously to distribute the 2017 Distribution Eligible Equity to the member utilities. The total equity distribution for 2017 is \$10,220,292, of which TTD's portion is \$641,089.

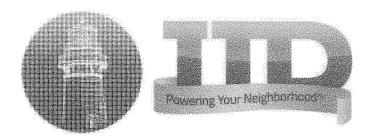
The CMEEC Membership Agreement, Section 7.5 Use of Distributions, provides the following options for the distribution on eligible equity:

- Leave all or part of distribution in Equity
- Apply all or part to the Municipal Trust
- Apply all of part to the Rate Stabilization Funds (RSF)
- Apply all or part as an offset an invoice
- All or part as a direct cash payment

After discussing the distribution with Matt Allred, we both agree that we would achieve the greatest benefit to TTD by depositing the full allocation in the Capital Improvements Fund.

My recommendation is to deposit the full equity distribution in the amount of \$641,049 in TTD's Capital Improvements Fund.

Please let me know if you have any questions.



Third Taxing District

2 Second Street East Norwalk, CT 06855

Tel: (203) 866-9271 Fax: (203) 866-9856

Memorandum

To:

TTD Commissioners

From:

Kevin Barber - General Manager

Date:

May 3, 2018

Subject:

East Norwalk Library - Roof Solar Project

At the request of the Commission, a request for proposal (RFP) for a Solar Photovoltaic System installed on the roof of the East Norwalk Library has been completed and competitive bids have been received. The RFP, created by staff and Michael Cassella, was noticed in The Hour.

TTD received bids back from the following three companies:

- Pure Point Energy
- Ross Solar, A ConEdison Solutions Company
- Sound Solar Systems LLC

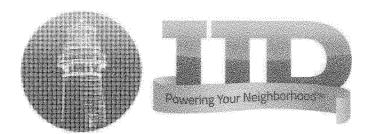
The bid prices range from \$85,996 to \$88,350 for a turn-key solution. All three companies have performed work in the District.

The RFP was developed to install a solar photovoltaic system on the roof of the library. The RFP requested the contractors to design a system that would generate the greatest amount of electricity as possible. The electricity generated from the system would offset the majority of the electricity used by the library. The excess electricity generated would be fed back into the TTD electric distribution system and would reduce the amount of electricity that is purchased by TTD from the grid through CMEEC.

Staff is currently reviewing the projects in detail and working with CMEEC to calculate the avoided costs that TTD could expect to realize from this installation. Initial benefits to the District would be reduced electric bills for the Library. This would be a direct benefit to the District budget with lower operating costs for the library. The excess electricity would be used to reduce the amount of electricity purchased and possibly reduce the monthly and yearly peaks on our system.

TTD can use the Renewable Resource Investment Fund (RRIF) to fund the project. The RRIF balance is currently \$116,267 and is available to foster and invest in renewable projects, including this project. The RRIF fund receives money form the Independent System Operators-New England (ISO-NE) from revenues received for projects that the CMEEC members have done and qualified for in the ISO-NE passive demand response capacity program.

At tonight's meeting I am seeking the interest of the Commission in continuing the review of this project. With your consent, staff will continue with the review of the project, including interviews with the contractors and a financial analysis to review the benefits of this project. A recommendation would be put before the Commission at a June Commission meeting.



Third Taxing District

2 Second Street East Norwalk, CT 06855

Tel: (203) 866-9271 Fax: (203) 866-9856

Memorandum

To:

TTD Commissioners

From:

Kevin Barber - General Manager

Date:

May 3, 2018

Subject:

APPA Annual Conference - June 15-20, 2018

The American Public Power Association (APPA) is holding its annual conference and exposition on June 15 - 20, 2018 in New Orleans LA. This annual conference provides members the opportunity to enhance their knowledge in the electric industry in areas including utility management, reliability and preparedness, regulatory issues facing the industry and the future of the industry.

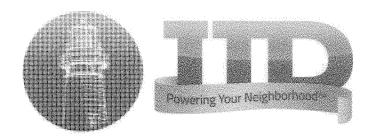
As part of my employment contract, I am required to receive approval from the Commission by action at a regular or special meeting, with reasonable advance notice. Please accept this memo as my request to attend the conference.

The dates of the annual conference conflicts with the second Commission Meeting in June scheduled for June 18th. The second meeting in June was schedule for the final review and approval of the Fiscal Year 2018-2019 Operating and Capital Budgets for the Electric Department.

I am seeking to determine if Commission is open to rescheduling the June 18, 2018 meeting to a different night to all me to attend this conference. Possible dates for the rescheduling of the meeting are:

- Thursday, June 21st
- Monday, June 25th
- Tuesday, June 26th
- Wednesday. June 27th

I would be happy to answer any questions that you have regarding this request at the meeting on Monday evening.



Third Taxing District

2 Second Street East Norwalk, CT 06855

Tel: (203) 866-9271 Fax: (203) 866-9856

Memorandum

To:

TTD Commissioners

From:

Kevin Barber - General Manager

Date:

May 3, 2018

Subject:

Update on Pole Attachments

As a follow up to a discussion held with the Commission at the December 4, 2017 meeting regarding pole attachments, I have engaged TTD's legal counsel, Steve Studer, to investigate whether TTD has the right to deny third parties from attaching to our poles.

Attorney Studer has indicated that following his review, TTD cannot deny a third party from access to the utility poles, without a valid reason. Atty. Studer is writing a memo stating this position that was not available in time to include in the meeting packet. If the memo is complete by Monday's meeting, I will have copies for your review. If the memo is not ready by the meeting, I will forward the memo to the Commission as soon as it is available.

TTD has received requests from two companies, AT&T and MCI Metro to connect to our poles. AT&T is using the attachments to run fiber to a cell tower installed at a local site. MCI Metro has not provided TTD with a detailed reason for the attachments siting proprietary information.

Based on Atty. Studer's findings, TTD cannot deny requests for attaching to our poles. TTD will begin the process of establishing formal relationships with these companies. The Cablevision pole attachment agreement will be used as the base agreement. The companies will be charged a yearly rental fee based on the number of poles they are attached to. They will also incur the cost for TTD to make the poles ready for attachers.

I will be happy to answer any questions you may have at the meeting.



May 7, 2018

Third Taxing District

2 Second Street East Norwalk, CT 06855

Tel: (203) 866-9271 Fax: (203) 866-9856

[Name of Addressee]
[AGENCY NAME]
[Address1]
[Address2]
[City State Zip]

RE: CP-241 Walk Bridge Replacement Project 115kv Transmission Line Relocation By Eversource Energy in Norwalk, CT

Dear [Addressee],

We, the Commission of the Third Taxing District-City of Norwalk ("TTD"), representing the body politic of a separate municipal corporation within the City of Norwalk¹ have become concerned about the proposed project to relocate two 115kv transmission lines within the boundaries of the Third Taxing District.

Despite being a significant stakeholder as a representational governing body of the impacted area, the TTD Commission has been omitted from all discussions regarding the relocation of the transmission lines contemplated by a high tower feasibility plan resulting from plans to replace the Walk Bridge, which initially contemplated aboveground placement of the lines. Though there have been ongoing utility coordination meetings among the staff of the TTD Electric Department and Connecticut's Department of Transportation ("CDOT") engineers, the remit of the staff was to evaluate these plans only as they pertain to connections to the TTD infrastructure.

We later became aware that Eversource Energy, in consultation with the City of Norwalk and CDOT, had completely revised the plan to instead provide for undergrounding of the transmission lines beneath the Harbor and portions of Veterans Memorial Park. This option was presented as the best of fourteen options that were considered, though at no time was the public (or the TTD as representatives of the rate-payers in East Norwalk) provided an opportunity to provide input on those options.³ We note that the Norwalk Harbor Management Commission has also objected to being omitted from discussions about alternatives, despite its jurisdiction under Connecticut General Statutes and Norwalk Code.

We are writing to lay out a number of concerns relating to this project on behalf of the residents and businesses of the Third Taxing District in the neighborhood of East Norwalk, who already stand to suffer significant impact from the Walk Bridge project.

District Commissioners

David L. Brown 203-866-8099 Chairman Kevin Barber 203-866-9271 General Manager 203-866-9271 Assistant General Manager 203-252-7214 Ron Scoffeld Debora Goldstein Commissioner 203-858-4261 Johnnie Weldon 203-216-2652 Treasurer Pamela Parkington Commissioner

¹ Special Acts No. 352 (1933); Charter of the Third Taxing District of the City of Norwalk, Section 1-114. Under the definition of "municipality" found in 7-233b (9), TTD is a municipality by virtue of ownership of an electric utility with the authority to "produce, supply or distribute electric energy". The TTD is governed by three elected commissioners with full municipal powers, including the authority to tax and to make appropriations under the charter Sec. 1-114; 117-118, and who function as the legislative body of the municipality.

² Norwalk task force demands project manager as DPW leader begs for help with ConnDOT, Nancy on Norwalk, August 3, 2016 (https://www.nancyonnorwalk.com/2016/08/norwalk-task-force-demands-project-manager-as-dpw-leader-begs-for-help-with-conndot/)

³ Eversource presents proposed route for 115-kilovolt transmission lines, The Hour, May 26, 2017 (https://www.thehour.com/news/article/Eversource-presents-proposed-route-for-11171856.php)

Environmental

We, the Commission have significant concerns about the environmental impacts of undergrounding the lines, particularly with the path currently under consideration.

The proposed route, under the harbor, through the visitor's docks and under a section of Veterans Memorial Park presents a unique need for extreme sensitivity to possibility of environmental contamination. Veterans Memorial Park sits on a former dump, but was created before the state Department of Environmental Protection had a permitting process for old dumps, so it has never been comprehensively tested. It abuts the harbor, which is the home of shellfish beds that make up a significant, economically important, shellfish industry, which supplies seafood to much of the East Coast and as far away as Texas. The project requires both trenching and horizontal directional drilling in an area which has historically been home to manufacturing of all kinds, including numerous hat factories.

Yet, this project stands to escape the need for any significant environmental review, or opportunities for public comment. Though the relocation of the utility lines was not eligible for full environmental review under the <u>Environmental Assessment/Section 4(f) Evaluation/Environmental Impact Evaluation for State Project No. 0301-0176 Walk Bridge Replacement Project</u>, because the project is one of "independent utility", it should be noted that that document represented that an independent environmental review would be required [emphasis ours].

Due to the removal of the high towers, Eversource Energy high voltage transmission lines that currently cross the Norwalk River on the high towers will require relocation. The relocation of the utility functions on the high towers is not part of the Walk Bridge Replacement Project, but will be an indirect effect of the project. The Eversource power relocation will undergo a separate environmental evaluation and permitting process, which will include opportunities for public review and comment. Eversource Energy will be responsible for relocating its lines and the associated environmental evaluations and permits. (Page 3-171)

The relocation of the overhead electric transmission lines may require approval from the Connecticut Siting Council (CSC). Should CTDOT lead the transmission line relocation, then approval from the CSC may not be required. Should the utility company (Eversource) lead the transmission line relocation effort, then CSC review and approval, including a Certificate of Environmental Compatibility and Public Need, would be required. NEPA review and site-specific permits also could be required for the utility line relocation. (Page 7-3)

The EA/4(f)/EIE representations regarding an environmental review of this project have turned out to be erroneous. It's nature as a relocation (as opposed to new) of an existing structure, its date of installation and the size of the lines (115kv), make it eligible to apply for a Declaratory Ruling from the Connecticut Siting Council ("CSC") that no Certificate of Environmental Compatibility and Public Need is required. Eversource has already indicated that intends to apply for such a ruling.⁴

We have further taken note of, and support, objections made by the Norwalk Shellfish Commission, which has expressed concerns, as follows: "We are also concerned about the proximity to the harbor of the two (3600ft2 West bank, 2700ft2 East bank) pits to be used in the HDD process. We question if they are too close to the harbor to contain potential drilling mud issues. Additionally, we have not seen data to indicate the drilling path is deep enough or is accounting for potential fissures or irregularities in the substrate which would allow drilling mud to enter the environment vertically from the bore hole."

The Commission has had an opportunity to review the report of the expert retained by the Norwalk Harbor Management Commission to conduct an independent peer review, dated March 26, 2018, and has concerns about the environmental impacts of the horizontal directional drilling process. The report notes that the

⁴ Eversource Transmission Relocation Project in support of Walk Bridge Replacement Project, presentation by Eversource to Norwalk Harbor Management Commission, May 24, 2017, page 6.

need for petroleum-based lubricants in the drill mud has the potential for additional contamination, in that it can spill beyond the launch pit, leech out subterraneously, or travel through unanticipated underground estuaries or abandoned conduits to areas that are substantially distant from the boring path. We note again, the proximity of Norwalk's economically and ecologically vital shellfish beds.

Historical

The loss of historical structures also needs further attention on behalf of the Third Taxing District's constituents, given the view of the harbor that many enjoy directly from their homes, or indirectly from public facilities within the district.

The <u>Environmental Assessment/Section 4(f) Evaluation/Environmental Impact Evaluation for State Project No. 0301-0176 Walk Bridge Replacement Project, recognizes the high towers carrying the transmission lines (as well as catenary lines) that are currently located on the Walk Bridge as "linear historic resources" eligible for the National Register of Historic Places.</u>

Two high towers, located on the east and west sides of the Norwalk River over the rail corridor, carry 22 Metro-North aerial power conductors and aerial communication/signal cables, and eight Eversource Energy 115kV transmission lines. The towers are steel latticed frame, and were constructed in 1912 and rehabilitated in 1990. The tower frames consist of a rigid H-configuration with two lower legs, three horizontal struts connecting the legs, and two sets of primary cross bracing between the lower legs. The towers originally had a height of 199 feet above the base, but were later modified with overbuilds (for the Eversource power lines), increasing their height to approximately 235 feet. (Page 3-4)

The electrification of the line was completed in 1914. In addition to numerous catenary support structures, most of which are original to the electrification, the system includes a high steel-lattice tower on either side of the river to carry transmission lines over the channel. The Engineering Significance Statement for the bridge does not explicitly address the catenary support structures and the two high transmission towers. However, these components are potentially eligible for the NR as contributing elements of the overall rail line as a linear historic resource (NR Criteria A and C). Moreover, in reviewing another project affecting overhead catenary electrification features, CTSHPO noted that the extant catenary system is an integral component of the country's first large-scale electrification of a main line railroad right-of-way and has found the New Haven Railroad Electrification and Catenary System to be a NR eligible entity. The high towers and catenary support structures could also be considered contributing elements to that entity. (Page 3-145)

The Build Alternative will remove the high steel lattice towers on either side of the river that carry transmission lines over the channel. Because the towers represent contributing components of the overall rail line as a NR-eligible linear resource, removal of the towers will result in an adverse effect. The catenary support structures also contribute to the significance of the overall rail line as a NR-eligible linear resource; removal of the structures will result in an adverse effect. (Page 3-154)

The Commission notes that it has previously maintained that the Third Taxing District has had unique impacts from the property takings within the district's boundaries for Walk Bridge construction activities. When a functioning business or dwelling is removed from the District, the revenue from electricity supply to the business or dwelling ceases. Revenue from electric sales within the boundaries of the Third Taxing District serve as a replacement for property taxes for services provided to the district's rate-payers. Due to its status as a municipal electric utility, the District is unable to replace this revenue with new customers. It may not seek to serve customers outside of the district's territory. The TTD has previously inquired after compensatory measures to help mitigate the impacts to its rate-payers from the permanent or extended loss of revenues from property takings.

We note that adverse impacts to NR-eligible resources is a basis for compensatory actions by CDOT, and suggest that it is appropriate to seek such compensatory remedy for the undergrounding of these transmission lines, which are functionally a part of electrical infrastructure that is NR-eligible.

Other Power Lines

The <u>Environmental Assessment/Section 4(f) Evaluation/Environmental Impact Evaluation for State Project</u>
<u>No. 0301-0176 Walk Bridge Replacement Project</u>, reports that there are, in fact, <u>eight</u> Eversource 115kv transmission lines currently on the high towers of the Walk Bridge (Page 3-171 and Page 3-4).

The Commission would respectfully request that the plans for the other six lines also be addressed before approval of these two, due to the precedent-setting nature of this proposal.

Recreational/Harbor View

The Commission takes note of, and supports the objections of the Norwalk Harbor Management and the Norwalk Shellfish Commissions with regard to the proposed route through the Visitor's Docks.

We refer, again, to report of the expert retained by the Norwalk Harbor Management Commission to conduct an independent peer review, dated March 26, 2018, and wish to register concerns about the possibility that the drill path accuracy cannot be guaranteed. This presents the possibility of damaging the dock pilings, or of being positioned very close to one or more pilings, such that pressure on the pilings from storms or large marine vessels could present the possibility of wear on the transmission line conduits. We note that even accurately positioned transmission lines in this proposal require protective zones which will prevent or severely inhibit the ability to maintain or expand sections of the Visitor's Dock—a facility that the City of Norwalk has a significant investment in, and recognizes significant recreational and economic activity from.

Furthermore, the expert's report raises the possibility that, once dug, it may not be possible to know the exact path of the transmission lines under the harbor with certainty, which can inhibit future activities such as dredging, maintenance/expansion of the Visitor's Docks or other harbor-related activities.

The Commission also makes reference to the Code of Federal Regulations amended 2010 for the Federal Regulatory Commission (Title 18, Volume 1, Section 380-15), which requires that siting of transmission facilities avoid or minimize effects.

Specifically, it states: The siting, construction, and maintenance of facilities shall be undertaken in a way that **avoids or minimizes effects** on scenic, historic, wildlife, and **recreational values**.

It further states: In locating proposed facilities, the project sponsor shall, to the extent practicable, <u>avoid</u> places listed on, or eligible for listing on, the National Register of Historic Places; natural landmarks listed on the National Register of Natural Landmarks; <u>officially designated parks</u>; <u>wetlands</u>; <u>and</u> scenic, <u>recreational</u>, and wildlife <u>lands</u>. <u>If rights-of-way must be routed near or through such places</u>, <u>attempts should be made</u> to minimize visibility from areas of public view and <u>to preserve the</u> <u>character and existing environment of the area</u>.

It also states: <u>Rights-of-way</u> clearing <u>should be kept to the minimum width necessary</u>. <u>In selecting a method to clear rights-of-way</u>, soil stability and <u>protection of natural vegetation and adjacent resources should be taken into account</u>.

Taken collectively, we believe that this project fails to meet the requirement of the FERC regulations in that it does not avoid a park and the recreational Visitor's Docks, despite the fact that there are likely alternatives available; that it will require rights of way clearing that will not minimize the impacts to the Visitor's Docks; that it does not take make attempts to minimize the impacts to/preserve the character of We acknowledge that these same regulations apply to overhead transmission lines, and were likely contributory to the abandonment of the first proposal for overhead siting of the lines. However, we reject the notion that the overhead transmission lines and monopoles might have presented a greater impact on

the view of the harbor than the bulk and height of the selected design for the replacement of the Walk Bridge. Such an aboveground transmission line would, in fact, be harmonious with other structures in the area, where above-ground catenary lines and monopole connections are ubiquitous. They are even acknowledged as NR-eligible when they reside on a bridge of a certain age.

For the reasons cited above, we the Commission, respectfully urge all parties associated with this proposed project to revisit alternatives, which might include, but certainly aren't limited to:

- a) Re-routing the transmission line path through another part of the park to avoid the impacts to the Visitor's Docks
- b) Having the project sponsor pay to relocate the Visitor's Docks outside of the utility rights-of-way required by this project
- c) Consider avoiding the harbor altogether and return to an aboveground transmission structure in CDOT's right-of-way
- d) Having the CSC require that the project undergo the environmental review and apply for a Certificate of Environmental Compatibility and Public Need, including robust public participation, for the protection of Norwalk's residents and it's harbor resources

The TTD welcomes discussion with all parties involved to seek a mutually acceptable alternative that protects the public interest in the park, the harbor, and electricity supply; as well as the safety of the stakeholders in the City of Norwalk (and particularly those of East Norwalk).

Sincerely,
David L. Brown, Chairman The Third Taxing District – City of Norwalk
Debora Goldstein, Commissioner The Third Taxing District – City of Norwalk
Pamela Parkington, Commissioner The Third Taxing District – City of Norwalk
Johnnie Mae Weldon, Treasurer The Third Taxing District – City of Norwalk

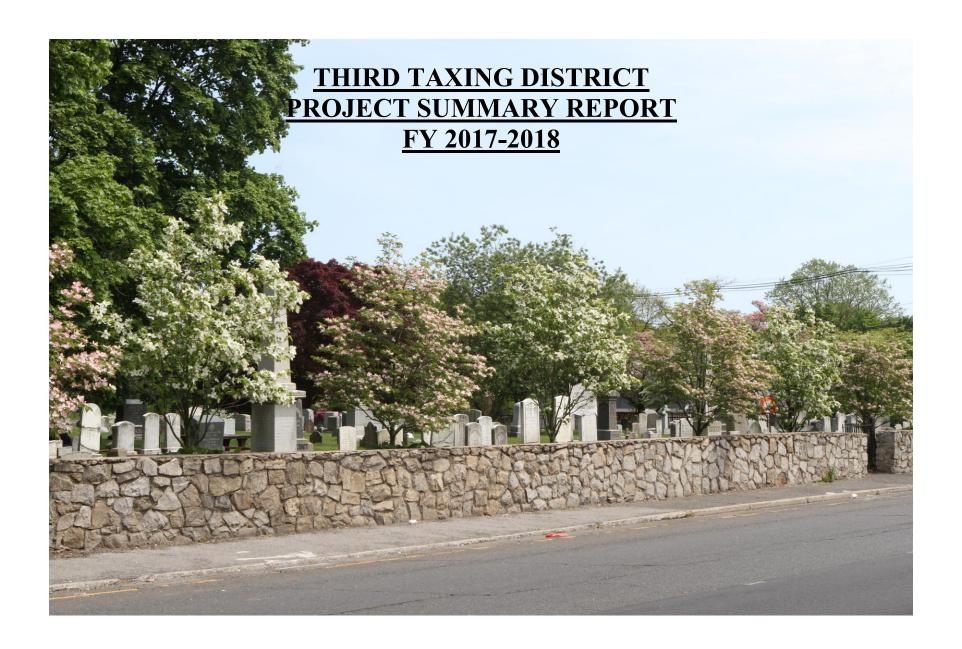


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THIRD TAXING DISTRICT – PROJECT SUMMARY

UPDATED: APRIL 30, 2018

<u>#</u>	PROJECT	<u>STATUS</u>	<u>TIMELINE</u>	COMMENTS/MONTHLY UPDATE
1)	A-Base Meter Replacement Program	• In progress – with Meter Department	On-Going – until all A- Base meters have been replaced	 February 2018 – No A-Base Meters have been installed since the summer, but there remains 108 meters that still need to be replaced in the Distribution System. Working with staff to understand the A-Base meter issue and develop a plan.
2)	Customer Service/ Management Training Program	Training throughout the year based on training opportunities and employee schedules.	On-Going	October 2018 – Tricia Dennison and Rachel Saunders attended "Developing Emotional IQ" seminar.
3)	Succession Planning Process	Complete with periodic review	On-Going	
4)	Radio-Read Meter Upgrade	• Approximately 90% of the system has been completed	Multi-year program beginning in 2015. Will continue until completed	 March 2018 – Installed 24 radio-read meters through the months of January and February for a total of 3,326 to date, or 88% of the system. April 1028 – Installed 78 radio-read meters for a total of 3,404 to date or 90% of the system.



5)	Upgrade Fleet Vehicles	Purchasing/Leasing Vehicles in accordance with Five-Year fleet replacement schedule.	On-Going	 Buy out of 2014 Freightliner Bucket Truck completed in August 2107. Lease on 2013 Chevy Volt came due at the end of Dec. Lease for a new 2017 Chevy Bolt approved by Commission and vehicle was received on Jan 2, 2018.
6)	I/T System Modifications	On-going to create greater efficiencies wherever possible	Periodic updates as necessary	
7)	Conduct Cost of Service/Rate Study with Periodic Updates	 Initial rate study conducted in 2013 with results implemented in October 2014. Update/"Tune-Up" completed in July 2016 Cost of Service Study on security lighting began in June 2016 	Security light cost of service study completed in October 2016.	 Need to determine status of Security Light rates and if they have been implemented. Street Lighting COS Study dated Sept. 29, 2016 has been located. Study is being reviewed by Staff to determine if it was completed. Will be forwarded to Commission.



8)	Strategic Planning Process	 To be presented to Commission at the Feb 1, 2016 meeting Presented and Approved at the Feb 1, 2016 meeting Initial sessions were conducted with the Staff and Commission on May 18 and 19 Follow-up meetings have been scheduled with the Staff and Commission for Aug 16 and 17 Meetings have been scheduled with the Commission and Staff on Sep 27 Future meetings are being scheduled with Commission and Staff A follow-up meeting has been scheduled with the Commission for Nov 15. 	 Begin in 1ST Qtr 2016. Work continues into 2017 as necessary 	May 2017 – The following activities took place during the months April/May: A special commission meeting was held on Apr 10 th to work on the charter revision, by-laws and vision statements. Steve Vandermeer facilitated the meeting and additional progress as made in all these areas. It was agreed that the Commission continue to address the legal issues surrounding the charter changes and move forward once a definitive legal opinion was received
9)	Public Relations/ Marketing Program	 Bids were evaluated by Staff in early April and recommendation was made to the Commission Commission interviewed two finalists and chose Greyskye Communications as TTD's new Marketing/PR firm. 	On-going	Monthly meetings have been held with Greyskye to discuss the following: Upcomings Events Newsletter Website updates Press Releases



#	PROJECT	STATUS	TIMELINE	COMMENTS/MONTHLY UPDATE

10)	Substation Upgrades and Improvements	Projects on-going in all substations in order to upgrade / maintain compliance with CONVEX / FERC requirements	On-going throughout 2017-18 fiscal year	 T3 transformer replacement in progress, transformer has been ordered. Old T3 transformer has been taken out of service. Oil removed from transformer and properly disposed. Old transformer successfully removed on April 16th. Transformer manufacturer notified TTD on 4/30/18 of a manufacturing delay. TTD is working to develop an understanding of the delay and the affect on the project schedule.
11)	18 Rowan Street Renovation	 Property Acquired, house demolished and lot repaved Final step is to site a material storage facility on the site 	Summer of 2018	 Since May 2017, the CAM Application was submitted. Met with Gill & Gill to review project and develop bid specs Bid packages being developed and will be available in January. Revised project schedule being developed. Bids received from 4 companies. Price exceeded expectations. Value engineering recommendations were requested from the bidders. Review of bids and valued engineering taking place. Contractor selected and approved by Commission on March 5th Contract is being reviewed by attorneys Contract signed



12)	<u>M</u>	ISCELLANEOUS Annual Revenue/ Expense Budget/ Five Year Capital Budget for FY 2018-19	Preliminary discussions being held with staff on 2018-19 budget process	2018-19 budgets will be presented to the Commission in May/June of 2018	 Started the internal budget process to prepare the 2018-19 budget. Draft budget to be sent to Commission mid to end of May for review
	•	Norden Generators	Periodic testing for "Black Start" backup to the Norden facility and run into the ISO LFR Market	On-going	 Quarterly testing performed January 2017 - Nox stack testing was performed with State of CT – passed with no issues November 2017 – Spot audit from CT DEEP – passed with no issues Received revenue forecast update from CMEEC. Increase in revenues projected for the summer months (Jun – Sep) based on results of the summer LFR auction.
	•	Solar Projects	Potential projects discussed with residential and commercial customers	On-going	Staff continues to work with customers interested in pursuing solar projects in TTD's service territory.
	•	Annual Financial Audit (FYE 6/30/17)		Expected completion date - Oct 15 th of each year	Audit completed on 12/28/17



•	SCADA Project	Project begins July 2015	 1st/2nd Phase (Second St -Fitch St Substations) – July 2015 – July 2016 3rd Phase (East Ave) July 2016 – June 2017 4th Phase – June 2017 – July 2017 5th Phase – July 2017 – August 2017 	SCADA project completed in October 2017.
•	Commercial Customer Visits	On-going as schedules permit	Throughout 2018	 Met with owner of 25 Van Zant Street Will schedule visits with customers throughout the coming year
•	Economic Development Initiatives	On-going meetings with Elizabeth Stocker, the City of Norwalk's Economic Development Director and Laoise King, City of Norwalk's Chief of Staff	Throughout 2018	 GGP – not proceeding with second service to mall. Elizabeth Stocker, no longer with the city. Will determine the next appropriate steps.



13)	State (CT DOT) Bridge Projects	Initial letter from CT DOT to TTD issued in March 2016. Regular updates have been received from CT DOT / Parsons Brinkerhoff as information is required	Remainder of 2016 into 2017 and beyond	 May 2017 – Continued to work with CT DOT officials on the various bridge projects through attendance at scheduled meetings, etc. Several of these projects are reaching the 30% design/development phase, which triggers additional meetings and coordination efforts. Since May – Staff is continuing to attend meetings and monitor the project. Requested and received from the State of CT the current listing of properties that are being acquired for the projects. Requested updated list of properties bing acquired from the State of CT following the redesign/change to the location of the Fort Point St RR Bridge.
14)	LED Flood/Security Light Upgrade	On-going until completed	To be finalized in 2018	 May 2017 – Continued to install LED security lights in the District. We have converted approximately 60% of these lights to LED's through the end of May. 123 lights remain to be installed. 99% of the lights have been upgraded to LED.



<u>#</u>	<u>PROJECT</u>	<u>STATUS</u>	<u>TIMELINE</u>	COMMENTS/MONTHLY UPDATE

15)	Verizon Small Cell Antenna Project/Co- Location Equipment Attachments	 Verizon request to attach "Small Cell Antennas" on certain TTD poles. We anticipate they will attach to three to five poles in the system. CMEEC Legal is developing a "Master Lease Agreement" on behalf of the MEU;s statewide outlining the terms and conditions for attachment 	In process – finalizing in the next 30-60 days	 May 2017 – Final comments have been received from all the Municipals on a draft of a Master Lease Agreement with Verizon. A "Lease Rate" is part of this agreement, similar to what we charge Cablevision for a pole attachment rate, and will result in some small incremental revenue to TTD on an annual basis (less than \$1,000/year) Master Lease Agreement has been finalized by CMEEC Attorney and Verizon. Other MEUs have executed the agreement with Verizon Verizon interested in attaching to multiple TTD poles
16)	Commercial Lighting Retrofits	On-going	On-going	 Attachment rate needs to be developed May 2017 – as of May 31st, Lantern Energy has secured 5 commercial lighting retrofits within the District (Accurate Auto, Phil's Main Roofing, CT Closets, Rick's Main Roofing and Norwalk Collision). All projects have been pre-inspected by TTD. Work is expected to take place over the next few months should the customers decide to move forward on their respective projects. December 2017 – The above commercial customers have not moved forward with the retrofits.



17)	Library Roof Projects	On-going	Roof – end of fiscal year 2018 Solar – to be determined	 Roof project – RFP developed and due by Thursday, April 13th. Recommendation to be presented to the Commission at the April 16th Commission Meeting Contract being reviewed Solar project – RFP developed and due by Wednesday, April 25th. Presented to the Commission at the May 7th Commission Meeting.
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